

2005 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), 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. 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°53.30' N. lat.). This fishery may also be 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 pre-season 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 post-season. The fishery will open in April or May and continue until a date established pre-season (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 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°31.70' 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. The fishery will then reopen during the third 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° 18.00' N. lat.; 125° 18.00' W. long.;
48° 18.00' N. lat.; 124° 59.00' W. long.;
48° 11.00' N. lat.; 124° 59.00' W. long.;
48° 11.00' N. lat.; 125° 11.00' W. long.;
48° 04.00' N. lat.; 125° 11.00' W. long.;
48° 04.00' N. lat.; 124° 59.00' W. long.;
48° 00.00' N. lat.; 124° 59.00' W. long.;
48° 00.00' N. lat.; 125° 18.00' W. long.;
and connecting back to 48° 18.00' N. lat.; 125° 18.00' W. long.

(iii) Washington south coast subarea.

This sport fishery is allocated 12.3 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea is defined as waters south of the Queets River (47°31.70' 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.

(iv) Columbia River subarea.

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea 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/California sport allocation. Any additional pounds needed to equal the number of pounds contributed to the Columbia River subarea from the Washington allocation will come from the Oregon Central Coast subarea allocation. This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on May 1, 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. Any remaining state's quota would be transferred to that state. The daily bag limit is one halibut per person, with no size limit. No groundfish may be landed, except sablefish when allowed by groundfish regulations, if halibut are on board the vessel.

(v) Oregon central coast subarea.

This subarea extends from Cape Falcon (45°46.00' N. lat.) to Humbug Mountain, Oregon (42°40.50' N. lat.) and is allocated 95.0 percent of the Oregon/California sport allocation minus any amount of pounds needed to contribute to the Oregon portion of the Columbia River subarea quota. The structuring objectives for this subarea are to provide two periods of fishing opportunity in Spring and in Summer in productive deeper water areas along the coast, principally for charterboat and larger private boat anglers, and provide a period of fishing opportunity in the summer for nearshore waters for small boat anglers. Fixed season dates will be established preseason for the Spring opening and will not be modified inseason except that the Spring opening 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 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 quota. ODFW will monitor landings and provide a post-season estimate of catch within 1 week of the end of the fixed season. If sufficient catch remains for an additional day of fishing after the Spring season, openings will be provided if possible in May - July. Potential 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. Any poundage remaining unharvested in the Spring all-depth subquota will be added to the Summer all-depth sub-quota. Any poundage that is not needed to extend the inside 40-fathom (73 m) fishery through 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 40-fathom (73 m) fishery subquota, if it can be used. The daily bag limit is one halibut per person, unless otherwise specified, with no size limit. During days open to all-depth halibut fishing, no groundfish may be retained,

except sablefish when allowed by groundfish regulations, if halibut are on board the vessel. A yelloweye rockfish conservation area that is closed to recreational halibut fishing is defined by the following coordinates in the order listed:

44° 37.46 N. lat.; 124° 24.92 W. long.;
44° 37.46 N. lat.; 124° 23.63 W. long.;
44° 28.71 N. lat.; 124° 21.80 W. long.;
44° 28.71 N. lat.; 124° 24.10 W. long.;
44° 31.42 N. lat.; 124° 25.47 W. long.;
and connecting back to 44° 37.46 N. lat.; 124° 24.92 W. long.

ODFW will sponsor a public workshop shortly after the IPHC annual meeting to develop recommendations to NMFS on the open dates for each season each year. The three seasons for this subarea are as follows.

A. The first season opens on May 1, only in waters inside the 40-fathom (73 m) curve, and continues daily until the subquota (8 percent of the subarea quota) is taken, or until October 31, whichever is earlier. 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 40-fathom (73 m) curve fishery.

B. The second season is an all-depth fishery with two potential openings. The first opening 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 69 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. The first opening will be structured for 2 days per week (Friday and Saturday) if the season is for 4 or fewer fishing days. The fishery will be structured for 3 days per week (Thursday through Saturday) if the season is for 5 or more fishing days. The fixed season dates will 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 Thursday through Saturday except that week(s) could be skipped to avoid adverse tidal conditions. The potential open Thursdays through Saturdays will be identified preseason. The fishery will continue until there is insufficient quota for an additional day of fishing or July 31, whichever 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 all-depth fishery that begins on the first Friday in August and is allocated 23 percent of the subarea quota. The fishery will be structured to be open every other week on Friday through Sunday except that week(s) could be skipped to avoid adverse tidal conditions. The potential open Fridays through Sundays will be identified preseason. If after the first scheduled open period, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 60,000 lb (27.2 mt) or more, the fishery will re-open on every Friday through Sunday (versus every other weekend), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. Any excess quota projected to remain after the needs of the inside 40-fathom (73 m) fishery are met would be transferred into the remaining all-depth quota. The inseason action will be announced by NMFS via an update to the recreational halibut hotline. If after the third scheduled open period, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 30,000 lb (13.6 mt) or more, the fishery will re-open on every Friday through Sunday (versus every other weekend), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. Under this provision, after the third scheduled open period, the bag limit would be 2 fish per person, with no size limit. Any excess quota projected to remain after the needs of the inside 40-fathom (73 m) fishery are met would be transferred into the remaining all-depth quota. The inseason action will be announced by NMFS via an update to the recreational halibut hotline. The fishery will continue until there is insufficient quota for an additional day of fishing or October 31, whichever occurs first. Any remaining quota will be transferred to the fishery inside the 40-fathom (73 m) curve, if needed. If inseason it is determined that the combined all-depth and inside 40-fathom (73 m) fisheries will not harvest the entire quota to the subarea, quota may be transferred inseason to another subarea south of Leadbetter Point, WA by NMFS via an update to the recreational halibut hotline.

(vi) 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°40.50' 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. The daily bag limit is one halibut per person, with no size limit. 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) 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: 70 FR 20304 (April 19, 2005)
69 FR 24524 (May 4, 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)

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2006 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) held two public meetings to discuss proposed changes to the 2006 Pacific Halibut Catch Sharing Plan for fisheries off Oregon. The first meeting occurred on August 18, 2005 in Astoria and the second on September 6, 2005 in Newport. Based on the meeting comments, and other public input, the ODFW recommends the Pacific Fishery Management Council (PFMC) approve the following proposals for additional public review.

Columbia River Subarea

Increase the allocation to the Columbia River sub-area from 2.6 to 5 percent of the total Oregon/California sport allocation. This would reduce the allocation in the Central Oregon sub-area from 94.4 to 92 percent. The purpose of the increase is to provide additional angler opportunity in the Columbia River sub-area.

Central Coast Subarea

All-Depth Fisheries

The following proposals are for the purpose of increasing the number of angler days so as to provide sufficient opportunity to harvest the entire catch limit, which has not been taken in recent years.

1. All open periods to occur on consecutive weeks rather than every other week.
2. Change allocation between Spring and Summer seasons from 75%/25% to 80%/20%
3. If 25,000 pounds or more remain available for harvest on the combined all-depth and nearshore fishery catch limit after the Labor Day weekend, the daily bag limit increases to two fish.

Nearshore Fishery

Allow no more than 1 halibut per vessel on all-depth days if rockfish are on vessel. Presently on all-depth days no groundfish, except sablefish, are allowed if a halibut is on the vessel no matter what depth the fishing occurs. The purpose of the groundfish retention prohibition on all-depth dates is to reduce yelloweye and canary rockfish impacts in the offshore fishery. The existing provision prevents the incidental take of halibut in nearshore fisheries on all-depth dates, which is contrary to the objective of the nearshore fishery.

North of Humbug Mt (Columbia River and Central Coast Subareas)

Allow the retention of groundfish, except rockfish, with a halibut on vessel during all-depth openings (see exception for the Nearshore Fishery Central Coast Subarea as discussed above). Current language specifies that all groundfish, except sablefish, cannot be retained with a halibut on vessel, which was originally proposed as a measure to reduce yelloweye and canary rockfish impacts. This has led anglers to discard species such as lingcod and flatfish, which are caught incidentally while targeting halibut. Changing the regulation to still prohibit the retention of rockfish will allow anglers to retain healthier species, while still discouraging targeting of rockfish and subsequent impacts on yelloweye and canary rockfish.

Statewide

Increase the possession limit on land in Oregon from two daily limits to three daily limits. This allows the angler to fish all three open days during all-depth weeks in the central coast and legally transport the fish on land.

(iv) Columbia River subarea.

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea also is allocated **5.0 percent** 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/California sport allocation. Any additional pounds needed to equal the number of pounds contributed to the Columbia River subarea from the Washington allocation will come from the Oregon Central Coast subarea allocation.~~ This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on May 1, 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. Any remaining ~~state's~~ quota would be transferred to ~~that~~ **each** state in **proportion to its contribution**. The daily bag limit is one halibut per person, with no size limit. No ~~groundfish~~ **rockfish** may be landed, ~~except sablefish when allowed by groundfish regulations,~~ if halibut are on board the vessel.

(v) Oregon central coast subarea.

This subarea extends from Cape Falcon (45°46.00' N. lat.) to Humbug Mountain, Oregon (42°40.50' N. lat.) and is allocated ~~95.0~~ **92.0** percent of the Oregon/California sport allocation ~~minus any amount of pounds needed to contribute to the Oregon portion of the Columbia River subarea quota.~~ The structuring objectives for this subarea are to provide two periods of fishing opportunity in Spring and in Summer in productive deeper water areas along the coast, principally for charterboat and larger private boat anglers, and provide a period of fishing opportunity in the summer for nearshore waters for small boat anglers. ~~Fixed season dates will be established preseason for the Spring opening and will not be modified inseason except that the Spring opening 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 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 quota. ODFW will monitor landings and provide a post season estimate of catch within 1 week of the end of the fixed season. If sufficient catch remains for an additional day of fishing after the Spring season, openings will be provided if possible in May July. Potential 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.~~

Any poundage remaining unharvested in the Spring all-depth subquota will be added to the Summer all-depth sub-quota. Any poundage that is not needed to extend the inside 40-fathom (73 m) fishery through 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 40-fathom (73 m) fishery subquota, if it can be used. **If inseason it is determined that the combined all-depth and inside 40-fathom (73 m) fisheries will not harvest the entire quota to the subarea, quota may be transferred inseason to another subarea south of Leadbetter Point, WA by NMFS via an update to the recreational halibut hotline.** The daily bag limit is one halibut per person, unless otherwise specified, with no size limit. ~~During days open to all-depth halibut fishing, no groundfish may be retained, except sablefish when allowed by groundfish regulations, if halibut are on board the vessel.~~ A yelloweye rockfish conservation area that is closed to recreational halibut fishing is defined by the following coordinates in the order listed:

44° 37.46 N. lat.; 124° 24.92 W. long.;
44° 37.46 N. lat.; 124° 23.63 W. long.;
44° 28.71 N. lat.; 124° 21.80 W. long.;
44° 28.71 N. lat.; 124° 24.10 W. long.;
44° 31.42 N. lat.; 124° 25.47 W. long.;
and connecting back to 44° 37.46 N. lat.; 124° 24.92 W. long.

ODFW will sponsor a public workshop shortly after the IPHC annual meeting to develop recommendations to NMFS on the open dates for each season each year. The three seasons for this subarea are as follows.

A. The first season opens on May 1, only in waters inside the 40-fathom (73 m) curve, and continues daily until the subquota (8 percent of the subarea quota) is taken, or until October 31, whichever is earlier. ~~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 40-fathom (73 m) curve fishery. **During days also open to all-depth halibut fishing, no more than 1 halibut may be retained per vessel if rockfish are onboard the vessel.**

B. The second season is an all-depth fishery with two potential openings. ~~The first opening 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 69 73.6 percent~~ **(80 percent of the subarea all-depth quota)** of the subarea quota. **Fixed season dates will be established preseason for the first Spring opening and will not be modified inseason except if the combined Oregon all-depth Spring and Summer season total quotas are estimated to be achieved. Recent year catch rates will be used as a guideline for estimating the catch rate for the Spring fishery each year. The number of fixed season days established will be based on the projected catch per day**

with the intent of not exceeding the subarea season 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. The first opening will be structured for 2 days per week (Friday and Saturday) if the season is for 4 or fewer fishing days. The fishery will be structured for 3 days per week (Thursday through Saturday) if the season is for 5 or more fishing days. The fixed season dates will 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. **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.** The fishery will **continue to** be open every other week on Thursday through Saturday except that week(s) could be skipped to avoid adverse tidal conditions. The potential open Thursdays through Saturdays will be identified preseason. The fishery **and** will continue until there is insufficient quota for an additional day of fishing or July 31, whichever occurs first. **The season’s closure will be announced on the NMFS hotline.** 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. **No rockfish may be landed if halibut are on board the vessel.**

C. The last season is an all-depth fishery that begins on the first Friday in August and is allocated 23 **18.4** percent (**20 percent of the subarea all-depth quota**) of the subarea quota. The fishery will be structured to be open every other week on Friday through Sunday, **and will continue until there is insufficient quota for an additional day of fishing or July 31, whichever occurs first.** except that week(s) could be skipped to avoid adverse tidal conditions. The potential open Fridays through Sundays will be identified preseason. If after the first scheduled open period, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 60,000 lb (27.2 mt) or more, the fishery will re-open on every Friday through Sunday (versus every other weekend), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. Any excess quota projected to remain after the needs of the inside 40-fathom (73 m) fishery are met would be transferred into the remaining all-depth quota. The inseason action will be announced by NMFS via an update to the recreational halibut hotline. If after the third scheduled open period **Labor Day weekend**, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 30,000 **25,000** lb (13.6 mt) or more, the fishery will re-open on every Friday through Sunday (versus every other weekend), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. Under this provision, after the third scheduled open period, the bag limit would be 2 fish per person, with no size limit, **if determined to be appropriate through joint**

consultation between IPHC, NMFS, and ODFW. Any excess quota projected to remain after the needs of the inside 40 fathom (73 m) fishery are met would be transferred into the remaining all depth quota. The inseason action **to increase the bag limit** will be announced by NMFS via an update to the recreational halibut hotline. The fishery will continue until there is insufficient quota for an additional day of fishing or October 31, whichever occurs first. Any remaining quota will be transferred to the fishery inside the 40 fathom (73 m) curve, if needed. If inseason it is determined that the combined all depth and inside 40 fathom (73 m) fisheries will not harvest the entire quota to the subarea, quota may be transferred inseason to another subarea south of Leadbetter Point, WA by NMFS via an update to the recreational halibut hotline. **No rockfish may be landed if halibut are on board the vessel.**

(vi) 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°40.50' 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. The daily bag limit is one halibut per person, with no size limit. 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.

(3) Possession limits. The sport possession limit on land **in Washington and California** is two daily bag limits, regardless of condition, but only one daily bag limit may be possessed on the vessel. **The sport possession limit on land in Oregon is three daily bag limits, regardless of condition, but only one daily bag limit may be possessed on the vessel.**

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON
PROPOSED CHANGES TO THE HALIBUT CATCH SHARING PLAN FOR 2006

The Washington Department of Fish and Wildlife (WDFW) held its annual recreational halibut meeting to develop and consider proposed changes to the Pacific Fishery Management Council's catch sharing plan for 2006, in Olympia, on August 12. Unfortunately, there were only a few fishermen present at the meeting.

However, we had a series of meetings prior to this one (on November 23, 2004, in Forks; January 6, 2005, in Montesano; and February 22, 2005, in Olympia) to develop alternative season structures and regulations for the coastal halibut fisheries, and the results of these meetings have been posted on the Department's website since February. In response, we have received a considerable number of comments and suggestions via e-mail and telephone about these proposed alternatives, including comments about an annual bag limit.

Therefore, at this time, we would support the following alternatives to be approved for public review. Proposed changes to the catch sharing plan language follow. WDFW staff will brief the Washington Fish and Wildlife Commission at their October meeting on these proposed changes, and will have another public meeting in mid-October to solicit input on these alternatives.

Statewide

1. Implement an annual bag limit of five halibut per angler, which would apply to halibut caught in U.S. waters only.

Rationale – The annual bag limit would accomplish the objective of providing an opportunity for more individuals to participate in the recreational halibut fisheries. Each year, we are contacted by anglers who, because of schedule conflicts or unavailability of local accommodations, did not get a chance to go halibut fishing before the quota in a particular area was attained. We have also received suggestions to place limits on charter boat “crew fish” and/or non-paying charter boat passengers (e.g., friends of the skipper). Placing an annual limit on all anglers would treat everyone in the same fashion, and would be more likely to accomplish the objective.

Additionally, selecting a limit amount, which is less than the amount of days open to fishing, could potentially extend the season. There are anglers who, by their own admission, will fish every day the north coast area, for example, is open; this could be up to 9-14 fish per angler, in recent years.

If this measure were adopted, then the Department would require all anglers to complete a catch record card for halibut caught in all marine areas (currently only required in Puget Sound), for catch monitoring and enforcement purposes. This requirement would be considered through our sport fishing rule making process, which requires approval by the Washington Fish and Wildlife Commission.

North Coast

- 2. For the May fishery, reduce the number of days open per week from five consecutive days (Tue-Sat) to three staggered days (Tue, Thur, Sat).**

Rationale – The Department held a series of meetings focused on identifying and exploring options with the objective of lengthening the north coast halibut season over a longer period of time, and the attendees at those meetings favored this option. The idea is that some anglers, who used to fish several days in a row when the season was open for five consecutive days per week, may decide to not stay over if the season days were staggered. This potential reduction in effort may allow other anglers the opportunity to fish and/or may lengthen the season.

The Department plans to post calendars on our website, which identify the dates (based on available quota and pre-season catch projections) that we believe will be open to halibut fishing; there will also be tentative dates listed, which may be open if sufficient quota remains.

- 3. For the June fishery, specify the opening date as the 1st Thursday after June 17.**

Rationale – The primary purpose of scheduling a fishery in late June is to provide a fishing opportunity after school has ended for the year. This change would result in the fishery opening as early as June 18, and as late as June 24, which encompasses the majority of the public school ending dates in Washington. Also, there was some confusion with the current wording of “opening the third week in June”—whether this meant the third full week, or the third week occurring in the month—this proposed modification should alleviate this confusion.

- 4. In June, reduce the number of days open per week from five to two staggered days (Thur, Sat).**

Rationale – If the overall quota remains around the current level, following the quota division for the May and June fisheries, there would likely be sufficient quota to open for only two days in June, and, in 2005, the Department implemented a staggered Thursday/Saturday fishery in June, which seemed to work well. If sufficient quota remains, we could continue to keep the fishery open on the Thursday/Saturday schedule. Again, as mentioned above, the Department will post calendars on our website, which identify the specific dates (based on available quota and pre-season catch projections) that we believe will be open to halibut fishing; there will also be tentative dates listed, which may be open if sufficient quota remains.

South Coast

- 5. Remove the reference to the automatic 7 days per week season, beginning July 1, and specify that the northern nearshore area will reopen to accommodate incidental halibut catch on Fridays and Saturdays only.**

Rationale – In recent years, the south coast fishery has not been able to remain open (much) past July 1. The initial purpose of this provision was to have an automatic action, so as to not require an inseason conference call to provide halibut fishing opportunity on Fridays and Saturdays, after the salmon season has started (which is usually around the first of July). However, upon further consideration, it would be easier to monitor the fishery if it were only open on Fridays and Saturdays. In order for this provision to apply, there could not be sufficient quota to reopen the offshore fishery (i.e., there would have to be less than 4,000 lbs). Therefore, it would be easier to monitor the attainment of this small amount if the nearshore area were open only on these two days.

- 6. Modify the definition of the northern nearshore area to: from 47°25.00' N. lat. south to 46°58.00' N. lat., and east of 124°35.00' W. long.**

Rationale – Includes a few spots south of the currently defined northern nearshore area (which ends at 47°00.00' N. lat.) where halibut are caught incidentally on targeted bottomfish trips, while excluding “targetable” halibut areas. By excluding areas known to produce halibut, the integrity of the five-day targeted fishery is maintained, and monitoring of incidental catches (post-offshore season) against a relatively small quota is much easier.

Columbia River

- 7. Allow the retention of bottomfish, except rockfish, with a halibut onboard in the Columbia River subarea (from Leadbetter Pt., WA to Cape Falcon, OR).**

Rationale – Current language specifies that all bottomfish, except sablefish, cannot be retained with a halibut onboard, which was originally proposed as a measure to discourage targeting of rockfish. This has led anglers to discard species such as arrowtooth flounder, Pacific cod, and lingcod, which are caught incidentally while targeting halibut. Changing the regulation to still prohibit the retention of rockfish will allow anglers to retain these healthier species, while still discouraging targeting of rockfish.

(f) SPORT FISHERIES

(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 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, **with an annual bag limit of five halibut per person.**

(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°31.70' 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 **§ 3** days per week (Tuesday, **Thursday, and through** Saturday) until the May allocation is projected to be taken. The fishery will then reopen **during the third week** in June **on the first Thursday following June 17**, and continue until the remaining quota is projected to be taken, **§ 2** days per week (**Thursday and 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, **with an annual bag limit of five halibut per person.** 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° 18.00' N. lat.; 125° 18.00' W. long.;

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

48° 11.00' N. lat.; 124°59.00' W. long.;
48° 11.00' N. lat.; 125° 11.00' W. long.;
48° 04.00' N. lat.; 125° 11.00' W. long.;
48° 04.00' N. lat.; 124° 59.00' W. long.;
48° 00.00' N. lat.; 124° 59.00' W. long.;
48° 00.00' N. lat.; 125° 18.00' W. long.;
and connecting back to 48° 18.00' N. lat.; 125° 18.00' W. long.

(iii) Washington south coast subarea.

This sport fishery is allocated 12.3 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea is defined as waters south of the Queets River (47°31.70' 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~~ **47°25.00' N. lat.** south to **47°00.00' 46°58.00' N.** lat. and east of **124°40.00' 124°35.00' 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~~ **47°25.00' N. lat.** south to **47°00.00' 46°58.00' N.** lat. and east of **124°40.00' 124°35.00' W.** long. **on Fridays and Saturdays only,** 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, **with an annual bag limit of five halibut per person.**

(iv) Columbia River subarea.

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea 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/California sport allocation. Any additional pounds needed to equal the number of pounds contributed to the Columbia River subarea from the Washington allocation will come from the Oregon Central Coast subarea allocation. This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on May 1, 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. Any remaining state's quota would be transferred to that state. The daily bag limit is one halibut per person, with no size limit, **with an annual bag limit of five halibut per person.** No ~~groundfish~~ **rockfish** may be landed, ~~except sablefish when allowed by groundfish regulations~~, if halibut are on board the vessel.

TRIBAL COMMENTS OF JIM HARP ON PROPOSED CHANGES TO THE CATCH
SHARING PLAN AND ANNUAL REGULATIONS

Mr. Chairman, I would just like to offer a very brief comment on the catch-sharing plan for halibut.

The Tribes propose no changes to the catch-sharing plan as it relates to the Treaty Indian allocation of halibut for 2006. That allocation would remain at 35% of the Area 2A TAC, plus the 25,000 lb. Adjustment, as specified in the Stipulation and Order of the U.S. District Court.

PFMC
09/20/05

HALIBUT CATCH SHARING PLAN AND ANNUAL CHANGES

The Groundfish Advisory Subpanel (GAP) considered the changes in the Halibut Catch Sharing Plan as submitted by Washington Department of Fish and Wildlife (WDFW) and Oregon Department of Fish and Wildlife (ODFW).

The GAP recommends that the Council adopt all of the proposals submitted with one exception:

The ODFW proposal to increase Columbia River subarea allocation from two and a half percent to five percent of the Oregon/California sport allocation. The GAP recommends status quo of the 2005 basis. The GAP feels any change is unwarranted due to inequities in season structure between the two Oregon subareas (Columbia River and central coast). The central coast has more restrictive season structure.

The GAP could support a quota shift consisting of a Columbia River subarea opening date of May 1 using status quo contributions from Washington and Oregon. Followed by an August 1 contribution of two and a half percent from Oregon central coast to be landed in Oregon ports only and a season identical to central coast subarea.

The GAP recommends that it be specified that when halibut limits are attained for a vessel that it must cease fishing in the rockfish conservation area for groundfish.

The GAP considered the difficulty experienced in Oregon halibut recreational fisheries and would like to propose for public comment the following option to allow for more flexibility in attaining catch of recreational halibut quota (Supplemental Report D.1.b concerning central coast subarea, item three):

- On or about Sept. 1, International Pacific Halibut Commission, National Marine Fisheries Service, and ODFW will meet to consider whether increasing the central Oregon coast bag limit is warranted to ensure that the quota for the subarea is taken by September 30. If quota remains, the season will remain open until October 31 or attainment of quota.

August 23, 2005

**Mr. John DeVore
Groundfish Staff Officer
Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384**

Dear Mr. DeVore:

I am writing on behalf of myself, friends and acquaintances that are concerned with the current rule regarding the retention of groundfish, except sablefish, with a halibut onboard during those days open to all-depth Pacific halibut fishing. We feel that this rule is too restrictive for small <40 fathom boaters with incidental catches of halibut.

I have worked on a commercial troller for salmon, crabs and tuna during 1974 and 1975 in Coos Bay, Oregon. Since that time I have sport fished on my own small boat predominantly out of my home port of Tillamook. These fishing trips were within 40 fathoms and five or six miles north or south. My daughter's largest fish was a 34" halibut she caught just outside Tillamook Bay prior to the time a halibut tag was required. Since then, I have attended halibut meetings and was elated when the 30 fathom (at that time) inside fishery was developed to permit the continuation of the incidental catches of halibut for the fishermen that did not (wisely) venture far off shore in a small craft.

I do support the work of the council and other groups and individuals that seek to provide a strong fishery. Restricting all harvesting of certain species and limiting catches for others will help assure this. On the other hand, I feel I must speak out against what I see as a too heavy handed and law enforcement oriented approach that chips away at my already low odds of catching that occasional inside 40 fathom halibut. This weeks local newspaper contained the information that the **Oregon Central Coast All-Depth Pacific Halibut Fishery to open Friday through Sundays starting August 12, 2005.**

This means that for three days out of the week the inability of the <40 fathom sport fisherman to retain a halibut along with his lingcod and black sea bass is likely to occur until the end of October. These days are probably the most accessible fishing days to the working recreational boater.

We understand that we now have the ability to catch and retain these inshore halibut but we most always have a lingcod and some black sea bass on board already. We purchase and support the halibut tag system but are now obliged to toss this prize catch back or face the moral dilemma of choosing.

I do not ask to abolish what others have worked hard to do but rather alter the rule to keep the incidental halibut catch a viable opportunity for the inshore fisherman throughout the season.

If the goal is to reduce catch of ground fish when returning from >40 fathom halibut areas, then just restrict those boats with more than one or two halibut on board from taking other ground fish. The largest impact comes from the charter and larger sport boats with more than one or two persons aboard.

In closing, I recommend the council makes changes to the halibut/ground fish retention rule for the 2006 season in order to allow the retention of at least one halibut onboard along with the other ground fish during the all-depth halibut season.

Thank you for the opportunity to comment. If you have any questions, please contact me at 503-842-5179.

Steve Langer
13620 Trask River Road
Tillamook, Oregon 97141

The following are names and locations of individuals that I have spoken with and share my views:

Gary Baker – Bay City
Mike McKinney – Tillamook
John Shipman – Tillamook
Hugo Hatzel – Coos Bay
Roy Woo – Forest Grove
David Smith – Coos Bay

Mr. John DeVore
Groundfish Staff Officer
Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384

Dear Mr. DeVore:

I am writing on behalf of myself, friends and acquaintances that are concerned with the current rule regarding the retention of groundfish, except sablefish, with a halibut onboard during those days open to all-depth Pacific halibut fishing. We feel that this rule is too restrictive for small <40 fathom boaters with incidental catches of halibut.

I have lived on the Oregon Coast for 43 years and since that time I have sport fished on my own small boat predominantly out of Garibaldi and Astoria. I love to fish for rock fish and occasionally catch a halibut within the 40 fathom curve. I do support the work of the council and other groups and individuals that seek to provide a strong fishery. Restricting all harvesting of certain species and limiting catches for others will help assure this. On the other hand, I feel I must speak out against what I see as a too heavy handed and law enforcement oriented approach that chips away at my already low odds of catching that occasional inside 40 fathom halibut.

I do not agree that for three days out of the week the inability of the <40 fathom sport fisherman to retain a halibut along with his lingcod and black sea bass is likely to occur until the end of October. These days are probably the most accessible fishing days to the recreational boater.

We understand that we now have the ability to catch and retain these inshore halibut but we most always have a lingcod and some black sea bass on board already. We purchase and support the halibut tag system but are now obliged to toss this prize catch back or face the moral dilemma of choosing.

I do not ask to abolish what others have worked hard to do but rather alter the rule to keep the incidental halibut catch a viable opportunity for the inshore fisherman throughout the season.

If the goal is to reduce catch of ground fish when returning from >40 fathom halibut areas, then just restrict those boats with more than one or two halibut on board from taking other ground fish. The largest impact comes from the charter and larger sport boats with more than one or two persons aboard.

In closing, I recommend the council makes changes to the halibut/ground fish

retention rule for the 2006 season in order to allow the retention of at least one halibut onboard along with the other ground fish during the all-depth halibut season.

Thank you for the opportunity to comment.

Gary Baker
6315 Seattle Street
Bay City, Oregon

Subject: Halibut/groundfish retention rules
From: "SMITH Clint J" <CSMITH@ODF.STATE.OR.US>
Date: Wed, 31 Aug 2005 06:47:51 -0700
To: <Chuck.Tracy@noaa.gov>
CC: "Langer's" <ahabshse@oregoncoast.com>, "BAKER, Gary" <GBAKER@ODF.STATE.OR.US>

Dear Mr. Tracy,

Steve Langer shared the attached letter with me, and I am writing to express my concurrence and support for the concept expressed in the letter.

I am a wildlife biologist with the Oregon Department of Forestry. I personally and professionally support the wise use and conservation of all our natural resources. Our concern with this issue is that small craft owners are being penalized on the all-depth halibut retention days. With an increasing number of all-depth openings, this penalty is increasing to a level that causes us concern. The chances of catching a near-shore halibut in the Tillamook area are relatively low. Frequently this occurs while targeting other bottomfish. The number of halibut caught by near shore anglers usually is very low, usually <1 per year.

We would appreciate consideration of a rule modification that would allow retention of groundfish while retaining a single incidental halibut per boat in the near-shore fishery. Boats targeting offshore halibut would not be affected by this rule, because they almost always retain more than 1 halibut per boat per trip.

Thank you for considering this proposal.

Clint Smith
6800 Alderbrook Rd.
Tillamook, OR
97141
503-842-3507

PROPOSED CHANGES TO THE CATCH SHARING PLAN AND ANNUAL REGULATIONS

Each September meeting, the Council considers proposed changes to the halibut regulations. The purpose of this consideration is for adjustments in the annual regulations (primarily in the recreational fishery) or catch sharing plan, and can include changes in catch allocation among areas or gear groups.

Attachment 1 contains the current catch sharing plan. The plan includes the equitable adjustment agreement, first implemented in 2000, which transfers 25,000 pounds dressed weight of halibut from the standard non-treaty allocation to the treaty Indian allocation. This transfer is to occur each year for eight years (2000 through 2007).

Washington Department of Fish and Wildlife and Oregon Department of Fish and Wildlife normally hold public meetings prior to the September Council meeting to consider changes in the halibut regulations. Any recommendations resulting from these meetings will be presented for review at the September Council meeting. The Council will take final action on proposed changes for 2006 at the November 2005 meeting.

Council Action:

- 1. Adopt, for public review, any proposed changes to season structuring and the catch sharing plan for 2006.**

Reference Materials:

1. Agenda Item D.1.a, Attachment 1: 2005 Pacific Halibut Catch Sharing Plan for Area 2A.
2. Agenda Item D.1.b, WDFW Report.
3. Agenda Item D.1.e, Written Public Comment.

Agenda Order:

- a. Agenda Item Overview
- b. State Proposals
- c. Tribal Comments
- d. Reports and Comments of Advisory Bodies
- e. Public Comment
- f. **Council Action:** Adopt Proposed Changes for Public Review

Chuck Tracy
WDFW/ODFW
Jim Harp

PFMC
08/26/05

This information is distributed solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. It has not been formally disseminated by NOAA Fisheries. It does not represent and should not be construed to represent any agency determination or policy.

Pacific Halibut Bycatch in IPHC Area 2A in the 2004 Groundfish Trawl Fishery

John Wallace
Jim Hastie

NOAA Fisheries
Northwest Fisheries Science Center
Seattle, WA

August 2005

ABSTRACT

This report updates the estimate of Pacific halibut bycatch and mortality in the bottom trawl fishery through the calendar year 2004. The estimate of halibut bycatch and mortality in the bottom trawl fishery is based upon the method developed in the report for 1999 (Wallace, 2000). The current report uses halibut bycatch rates observed for the 2004 calendar year by the West Coast Groundfish Observer Program. These rates are stratified by season, depth, latitude, and amount of arrowtooth flounder catch, then multiplied by the amount of trawl effort in each stratum determined from Oregon and Washington trawl logbooks in 2004. Estimated halibut bycatch and mortality in other gear types has not been updated for 2004. The estimate for the 2004 bottom trawl fishery is 245,000 lbs net weight of total halibut bycatch mortality, of which 172,000 lbs is legal-sized. The net weight is 47.0 percent lower than in 2003. As in past reports, forecast of bycatch for the current year (2005) or future years is not attempted.

GROUNDFISH FISHERY BACKGROUND

Changes in the groundfish fishery and its management affect not only the amount of groundfish fishing effort, but also its geographic and temporal distribution. Since halibut bycatch rates vary among time and area strata, changes in the amount and distribution of effort will alter the amount of halibut bycatch that is estimated for the trawl fleet. Here we briefly describe the management changes that occurred in 2004.

As in 2003, the trawl fishery was managed throughout 2004 using closed Rockfish Conservation Areas (RCA) to restrict fishery access to some areas. North of 40°10' N. Lat., the seaward boundary of the closed area was set at line approximating 200 fm during the first 4 months, and at 150 fm from May through September. During the last 3 months of the year, groundfish trawling was closed from the shore out to the 250 fm line, in order to minimize bycatch of darkblotched rockfish. The shoreward boundary was set at 75 fm during the first 2 months and from July through September, and at 60 fm from March through June. Special areas for winter petrale fishing during the first 2 months were designated between 150 and 200 fm. The use of small footrope gear (rollers of 8" or less) was required for all fishing shoreward of the RCA. In addition to having shoreward RCA boundaries no deeper than the 75 fm line throughout the year, 2-month limits for flatfish, thornyheads, and sablefish were lower for small footrope gear. These differential limits were intended to reduce trawl effort on the shelf, and in turn the bycatch of several rebuilding species.

HISTORICAL BYCATCH ESTIMATES

Bottom Trawl Fishery for Groundfish

Estimated bycatch and mortality of halibut in 1987, 1992, and 1995 are summarized in Table 1. As described by Williams, et al. (1998), these halibut bycatch and mortality estimates were based upon catch rates observed during a voluntary fisheries observer program conducted during the late 1980s. Approximately 1,062 tows by bottom trawl fisheries off Oregon and Washington were observed during 1985-1987. An additional 65 tows were observed off California during 1988-1990. Catch rates were stratified by fishing strategy, depth, season, and area as described by Pikitch, et al. (1998).

Analysis of Enhanced Data Collection Program

From November 1995 through December 1998, observers quantified halibut catches on the west coast bottom trawl fisheries during the Enhanced Data Collection Program (EDCP). In addition, skippers participating in the EDCP filled out enhanced logbooks on which aggregate halibut catch information was recorded. During the program, when no observer was onboard, skippers continued to fill out the enhanced logbooks.

In the 1,825 EDCP tows from both Washington and Oregon, an estimated 11,434 halibut were caught. However, using only observed EDCP tows with complete strata information, 4,816 halibut were measured by observers. Wallace (2000) used similar methods to those in Pikitch (1998) to analyze the EDCP data and identify appropriate strata for bycatch estimation. These strata are season (Jan-Aug and Sept-Dec), depth (0-100, 100-300, 300-700 fm), area (five latitude ranges) and catch of arrowtooth flounder (0-20 lbs per hour and >20 lbs). These methods and preliminary results were reviewed and approved by the Pacific Fishery Management Council's Scientific and Statistical Committee during the June and September 2000 meetings.

Shrimp Trawl

Halibut bycatch in shrimp trawls in 1987, 1992, and 1995 was reported by Williams, et al (1998) and are presented in Table 4. For 1998, Bob Hannah (ODFW, personal communication) produced estimates of halibut bycatch in Oregon shrimp trawls for PSMFC Areas 2B-3C (Table 5). He used three data sources:

1) bycatch rates observed during 128 tows by Pikitch, et al., during 1985-87; 2) control net catch rates from 166 tows observed by Hannah, et al.; and 3) data compiled from shrimp fishing trips observed during 1996-99 by the EDCP, combined with control net catches from ODFW research charters during the same time period (for a total of 203 observed tows). The approximate number of tows in the 1998 Oregon shrimp fishery was over 10,000. The halibut bycatch estimates for this fishery are based on expanding the encounter rates (pounds of halibut per single-rig equivalent hour (sreh)) by the effort expended by vessels landing shrimp in Oregon ports only. The estimates are not stratified by depth because the depth range of the shrimp fishery is very restricted and the amount of data is very limited. The percent legal-sized (62 percent) and the percent survival (50 percent) was assumed to be the same as in the bottom trawl fishery. Given the range of estimates and the data limitations, Hannah estimates that the 1998 bycatch mortality of legal-sized halibut from Oregon is about 16,000 lbs, net weight and about 25,000 lbs. round weight. Halibut bycatch from vessels landing shrimp into Washington and California ports is not included.

Analysis of data collected during first year of the West Coast Groundfish Observer Program (WCGOP)
The WCGOP began collecting at-sea trawl discard data in September of 2001. Data collected through August 2002 were checked and evaluated in the winter of 2002. A report of findings from the first year of observation was published at the NMFS Northwest Fisheries Science Center website in January 2003. Estimates of halibut bycatch in the 2002 trawl fishery were developed in the summer of 2003 using observer data from the first year of collection. Because observer data from the last four months of 2002 were not yet available, halibut bycatch during that period was estimated using data collected during the last four months of 2001.

A total of 2,812 observed bottom trawl tows off Washington and Oregon were included in the estimation of 2002 halibut bycatch. Methods similar to those in Pikitch (1998) were used to analyze the observer data and identify appropriate strata for bycatch estimation. The strata used to estimate 2002 halibut bycatch were: season (Jan-Aug and Sept-Dec), depth (0-100, 100-300, 300-700 fm), area (four latitude ranges) and catch of arrowtooth flounder (0-20 lbs per hour and >20 lbs). The correlation between arrowtooth and halibut witnessed in the observer data was also confirmed by an examination of bottom trawl survey data. Bycatch rates for these strata were, in turn, applied to trawl effort summarized from logbooks, and the resulting bycatch amounts expanded to account for landings not captured in logbooks. The total estimated halibut mortality for 2002 was 512,000 net pounds, which was a 36 percent reduction from the estimate for 2001.

Analysis of data from the West Coast Groundfish Observer Program's second year

The second year of data released by the West Coast Groundfish Observer Program (WCGOP) includes observations from 01 September 2002 through 31 August 2003. Because of the current unavailability of observer data from the last four months of 2003, the September-December 2002 data were included to form a 12-month bycatch data set. There were 2,770 bottom trawl tows between 48.667 and 40.667 degrees latitude (all of Washington to just north of the Oregon-California border) used for this study. An estimated total weight of 163,363 lbs of halibut was caught in those tows.

A wrinkle for 2003 was the Oregon Flatfish Trawl EFP trips. The WCGOP observed all the 2003 Oregon Flatfish Trawl EFP trips; hence the halibut discard observed during this program was a census. For the remainder of Limited-Entry groundfish trawl activity, including the Washington Arrowtooth EFP (which was not fully observed), methods similar to those in Pikitch (1998) were used to analyze the observer data and identify appropriate strata for bycatch estimation. These strata are season (Jan-Aug and Sept-Dec), depth (0-75, 75-150 150-250, 250-700 fm), area (four latitude ranges) and catch of arrowtooth flounder (0-20 lbs per hour and >20 lbs). Bycatch rates for these strata were, in turn, applied to trawl effort summarized from logbooks, and the resulting bycatch amounts expanded to account for landings not

captured in logbooks. The total estimated halibut mortality for 2003 was 462,000 net pounds, which was a 9.8 percent reduction from the estimate for 2002.

BYCATCH ESTIMATES FOR 2004

Analysis of 2004 data from the West Coast Groundfish Observer Program

The WCGOP is in the process of moving to a calendar year reporting cycle for their observations. Consequently, they were able to provide data for the complete calendar year of 2004 for this assessment. There were 2,883 bottom trawl tows between 48.667 and 40.667 degrees latitude (all of Washington to just north of the Oregon-California border) used for this study. An estimated total weight of 164,508 lbs of halibut was caught in those tows. The vast majority of these weights are 'actual weights' from the entire catch, i.e. not estimated or extrapolated. The number of halibut in a tow was recorded only 21% of the time, and therefore those data were not used in this report. In the observer program, lengths are taken when halibut are selected as 'biological samples'. For the data used in this report, on a tow basis, halibut were selected to be a biological sample 20 percent of the time when Pacific halibut were caught in the tow. Halibut have a lower priority for biological sampling than groundfish species that have been declared overfished. Additionally, crews attempt to return halibut to the ocean as quickly as possible, in order to promote survival of the discards. As a consequence, it can be difficult for observers to obtain length measurements for all discarded halibut.

The 2004 Oregon Flatfish Trawl EFP trips accounted for only 2.7 percent of the tows observed by the WCGOP and consequently, was not split out in this analysis.

For all of the Limited-Entry groundfish trawl activity, including the Washington Arrowtooth EFP and the Oregon Flatfish Trawl EFP trips, methods similar to those in Pikitch (1998) were used to analyze the observer data and identify appropriate strata for bycatch estimation. These strata are season (Jan-Aug and Sept-Dec), depth (0-75, 75-150, 150-250, 250-700 fm), area (four latitude ranges) and catch of arrowtooth flounder (0-20 lbs per hour and >20 lbs). Depth strata were adjusted in 2003, so as to better align with management boundaries for the RCA. Numbers of tows, halibut catches, halibut catch rates, and the proportions of legal-sized halibut (>81 cm) are listed for each of these strata in Table 3.

Bottom Trawl Effort from Logbooks

Logbook data for Oregon and Washington in 2004 were obtained from PacFIN. Since ODFW collects logbook data for only 70-80 percent of the trawl deliveries during a typical year, Oregon logbook effort (hours towed) was expanded with fish tickets by port and month, in order to avoid any potential bias created by unequal collection of logbooks in the three major ports (Astoria, Newport, and Coos Bay). WDFW's "extrapolated and expanded" trawl effort was used for Washington trips.

Total trawl effort (hours) for the entire Oregon fleet was based on expanding the groundfish catch in logbook data by the total groundfish catch reported on fish tickets, as follows. Dividing aggregate catch on fish tickets by aggregate catch in the logbook data creates expansion ratios, by port and month. These expansion ratios were applied to the tow effort (hours) to arrive at the expanded effort for Oregon's trawl fleet. The expanded effort was then combined into the strata based on the observer data analysis. A similar effort expansion was not conducted for the Washington fleet because WDFW expands their effort, so total fleet effort is equal to reported logbook effort. The total fleet effort for each stratum in 2004 is reported in Table 3.

Halibut bycatch for each stratum was estimated by multiplying total (expanded) effort by the halibut bycatch rate for that stratum. Bycatch by the bottom trawl fleet is estimated by summing across strata. If

there was effort within a strata, but no observer tows, the coast wide average bycatch rate was used: 10.161 kg per hour for weight. This value is calculated as the unweighted average of the stratum means.

As in earlier years, half of the released halibut are assumed to survive capture (Gregg Williams, IPHC, personal communication). Therefore, bycatch mortality of halibut is assumed to be 50 percent of total bycatch. The proportion of legal-sized halibut (> 81cm) is estimated from the length frequencies of halibut measured in the observer data (Table 2). All measurements of fish lengths were converted to fish weight based on a length-weight relationship for Pacific halibut (IPHC, personal communication), and the proportion of legal-sized fish (by weight) was computed for each stratum (Table 3). Average proportion legal (calculated as the unweighted average of the stratum means) was used when no other estimate was available: 60.42 percent by weight. A more sophisticated approach of imputing the missing data shows that the unweighted average is more appropriate than weighting either by effort or weight. This value is low compared with an average proportion legal of 74.44 percent and weighted logbook estimate of 67 percent that were found in the EDCP data. However, a more comparable value of 62 percent was estimated in early studies (Williams et al., 1998) and used for 1977-1997.

For comparison purposes, 2004 totals are shown together with annual totals since 1998 in Table 6. Estimated mortality of all and of legal-sized halibut since 1977 are listed in Tables 7 and 8, respectively. Following from a 35.7 percent decrease in trawl effort, total discard mortality of halibut during 2004 is estimated to be 47.0 percent lower than in 2003. The fact that halibut mortality declined by a greater percentage than trawl effort reflects a shift in trawl effort to deeper waters where halibut bycatch is lower. The percentage of discard comprised by legal-sized fish was down from the high seen in 2003, but still higher than any of the other years. Nearly 49 percent of the estimated discard of legal-sized fish occurred in just four of the 64 strata used in the analysis, i.e. the four depth strata for the January-August time period in the area between 47.67° and 48.67° N. latitude.

It is not possible to make a forecast for the 2005 fishery given lack of a methodology to project the distribution of effort among model strata prior to the complete availability of a year's logbook data.

REFERENCES

- Pikitch, E.K., Wallace, J.R., Babcock, E.A., Erickson, D.L., Saelens, M., and Oddsson, G. (1998) Pacific halibut bycatch in the Washington, Oregon, and California groundfish and shrimp trawl fisheries. *North American Journal of Fisheries Management*. Volume 18, pp. 569-586.
- Wallace, J.R. (2000) Unpublished report. Pacific halibut discard in the EDCP Observer Program. June 2000. 18 pg.
- Williams, G. H., G. Stauffer, H. Weeks, M. Saelens, J. Scordino, D. Bodenmiller, and T. Northup (1998). Pacific halibut bycatch in Area 2A: Bycatch rates and current estimates of bycatch mortality. *Int. Pac. Halibut Comm. Rep. of Assess. and Res. Activ.* 1998: 269-282.

Table 1. Halibut bycatch and mortality in the bottom trawl fisheries for groundfish off the west coast, estimated from Pikitch et al., (1998) and reported by Williams et al., (1998).

Year	Trawl Effort (hours)	Estimated Halibut Bycatch (numbers)	Estimated Halibut Bycatch (kg., round)	Estimated Halibut Bycatch (lbs, net)	Estimated Total Halibut Mortality (lbs, net)	Estimated Legal-Sized Halibut Mortality (lbs, net)
1987	135,075	78,765	372,911	616,702	308,351	191,178
1992	182,155	89,756	465,595	769,979	384,989	238,693
1995	72,295	113,702	663,262	1,096,870	548,435	340,030

Note: For 1995, bycatch estimates for Areas 1B-2A off California are not included. Mortality estimated at 50% of bycatch. Legal-sized mortality (>81 cm) estimated at 62%, by weight, of total mortality. 1 kg, round = 1.65375 lbs, net weight.

Table 2. Length frequency for Pacific halibut from the West Coast Groundfish Observer Program data. (The upper limits on the length intervals are inclusive, the lower limits are not.)

Length Interval (cm)	Length Freq.	Percent Length Freq.
25-30	0	0.00
30-35	0	0.00
35-40	0	0.00
40-45	5	0.19
45-50	5	0.19
50-55	14	0.53
55-60	79	3.02
60-65	198	7.56
65-70	367	14.01
70-75	467	17.83
75-80	465	17.75
80-85	285	10.88
85-90	205	7.83
90-95	175	6.68
95-100	105	4.01
100-105	87	3.32
105-110	56	2.14
110-115	25	0.95
115-120	24	0.92
120-125	22	0.84
125-130	12	0.46
130-135	8	0.31
135-140	3	0.11
140-145	3	0.11
145-150	6	0.23
150-155	2	0.08
155-160	0	0.00
160-165	1	0.04
165-170	0	0.00
170-175	0	0.00
175-180	0	0.00
180-185	0	0.00
Total	2712	100.00

Table 3. Numbers of tows, halibut catches, halibut catch rates and effort, by strata, observed in the bottom trawl fishery by the West Coast Groundfish Observer Program. The last two columns, from 2002, are for comparison purposes. (The upper limits are inclusive for all intervals; the lower limits are not.)

SEASON: JANUARY - AUGUST

Arrowtooth Catch (lbs/h)	Latitude	Depth (Fathoms)	Number of Observed Tows	Number of Tows with ≥ 1 Halibut	Wgt. (kg., rnd) Halibut per Hour	Trawl Effort (hours) from OR & WA	Proportion Legal by Weight	Number of Observed Tows 2003	Wgt. (kg., rnd) Halibut per Hour 2003
≤ 20	40.667 - 42.667	0 - 75	1	1	17.86	196		6	0.00
		75 - 150	0	0		0		1	12.48
		150 - 250	16	0	0.00	245	0.000	6	0.00
		250 - 700	43	0	0.00	1055	0.000	109	0.05
42.667 - 46.667	42.667 - 46.667	0 - 75	523	116	1.78	3442	0.796	154	4.83
		75 - 150	19	6	1.51	156	0.955	46	10.27
		150 - 250	84	20	2.11	1787	0.729	78	2.15
		250 - 700	191	5	0.07	3087	0.562	282	0.10
46.667 - 47.667	46.667 - 47.667	0 - 75	245	89	4.47	2442	0.655	36	6.03
		75 - 150	3	1	2.69	69		6	15.24
		150 - 250	11	1	0.38	532	0.589	44	1.24
		250 - 700	18	0	0.00	479	0.882	50	0.13
47.667 - 48.667	47.667 - 48.667	0 - 75	266	207	30.66	2271	0.715	105	25.64
		75 - 150	23	10	46.25	66	0.937	29	26.73
		150 - 250	18	5	6.78	388		23	3.39
		250 - 700	19	2	1.07	717	0.722	49	0.45
> 20	40.667 - 42.667	0 - 75	0	0		18		0	
		75 - 150	0	0		0		1	9.50
		150 - 250	4	1	1.43	64		0	
		250 - 700	2	0	0.00	15		0	
42.667 - 46.667	42.667 - 46.667	0 - 75	71	23	2.04	682	1.000	25	7.30
		75 - 150	4	2	0.40	93		54	10.96
		150 - 250	245	114	4.24	3368	0.669	78	2.66
		250 - 700	115	31	1.67	1387	0.464	59	0.88
46.667 - 47.667	46.667 - 47.667	0 - 75	48	17	6.97	479	0.934	27	13.75
		75 - 150	12	8	18.16	70	0.912	12	137.85
		150 - 250	57	35	7.68	511	0.571	16	18.05
		250 - 700	8	3	1.57	194		3	2.37
47.667 - 48.667	47.667 - 48.667	0 - 75	123	104	53.55	1006	0.808	123	62.37
		75 - 150	25	21	106.81	161		31	130.67
		150 - 250	123	92	40.50	1068	0.620	27	16.78
		250 - 700	19	10	94.85	279	0.765	16	6.37

Table 3. Continued.

SEASON: SEPTEMBER - DECEMBER

Arrowtooth Catch (lbs/h)	Latitude	Depth (Fathoms)	Number of Observed Tows	Number of Tows with ≥ 1 Halibut	Wgt. (kg., rnd) Halibut per Hour	Trawl Effort (hours) from OR & WA	Proportion Legal by Weight	Number of Observed Tows 2003	Wgt. (kg., rnd) Halibut per Hour 2003
≤ 20	40.667 - 42.667	0 - 75	0	0		86		0	
		75 - 150	0	0		0		0	
		150 - 250	2	2	5.62	49		0	
		250 - 700	7	0	0.00	620		5	0.00
	42.667 - 46.667	0 - 75	72	8	0.55	749	0.644	144	1.24
		75 - 150	0	0		23		15	1.98
		150 - 250	22	8	5.14	580	0.896	12	2.46
		250 - 700	170	11	0.25	3827	0.728	104	0.25
	46.667 - 47.667	0 - 75	2	0	0.00	335	0.00	9	3.48
		75 - 150	0	0		10		0	
		150 - 250	1	0	0.00	110		0	
		250 - 700	34	4	0.24	373	0.750	4	0.00
	47.667 - 48.667	0 - 75	12	9	5.73	480	0.186	86	4.02
		75 - 150	1	1	2.32	39	0.000	7	16.96
		150 - 250	1	1	4.31	42		17	69.34
		250 - 700	20	5	0.52	326	0.567	16	0.79
> 20	40.667 - 42.667	0 - 75	0	0		0		0	
		75 - 150	0	0		0		0	
		150 - 250	3	0	0.00	79		0	
		250 - 700	1	0	0.00	17		0	
	42.667 - 46.667	0 - 75	37	3	0.42	245	0.389	14	5.48
		75 - 150	0	0		61		24	1.54
		150 - 250	78	50	6.96	1035	0.448	2	0.00
		250 - 700	44	10	0.90	1052	0.291	2	3.14
	46.667 - 47.667	0 - 75	0	0		44		13	28.20
		75 - 150	0	0		27		0	
		150 - 250	12	9	4.87	126		0	
		250 - 700	3	0	0.00	97		0	
	47.667 - 48.667	0 - 75	1	1	12.85	65		0	
		75 - 150	2	0	0.00	28		4	2.14
		150 - 250	15	12	18.87	301	0.754	11	48.72
		250 - 700	7	6	3.29	344		1	5.99

Table 4. Halibut bycatch and mortality in the bottom trawl fishery for pink shrimp off the west coast, reported by Williams et al. (1998).

Year	Trawl Effort (hours)	Estimated Halibut Bycatch (numbers)	Estimated Halibut Bycatch (kg., round)	Estimated Halibut Bycatch (lbs, net)	Estimated Total Halibut Mortality (lbs, net)	Legal-sized Bycatch Mortality (lbs, net)
1987	193,694	20,536	98,983	163,693	81,847	50,745
1992	107,015	10,244	51,671	85,450	42,725	26,490
1995	----	----	----	100,000	50,000	31,000

Note: For 1995, bycatch estimates for Areas 1B-2A off California are not included. Mortality estimated at 50% of bycatch. Proportion of legal-sized mortality (>81 cm) is assumed to be 62% by weight. 1 kg, round = 1.65375 lbs, net weight.

Table 5. Estimated 1998 halibut bycatch and mortality in the bottom trawl fishery for pink shrimp (landings into Oregon ports only). (Bob Hannah, personal communication, October 8, 1999 memo). The data sources numbered 1-3 are described in the text.

Data Source	Single-rig Equivalent Hours (sreh) Observed	Bycatch Rate (lbs/sreh)	Fishing Effort (sreh) in Oregon Landings	Bycatch Estimate (kg., round)	Bycatch Mortality (lbs, net)	Legal-sized Bycatch Mortality (lbs, net)
1 - Pikitch	---	1.22	34,543	19,155	15,839	9,820
2 - Hannah	236.5	2.60	34,543	40,824	33,756	20,929
3 - EDCP	551.1	2.12	34,543	33,287	27,524	17,065

Note: Mortality estimated at 50% of bycatch. Proportion of legal-sized mortality (>81 cm) is assumed to be 62% by weight, as in the bottom trawl fishery. 1 kg, round = 1.65375 pounds, net weight.

Table 6. Halibut bycatch and mortality in the Oregon and Washington bottom trawl fisheries for groundfish off the west coast. The new 2003 data are estimated from bycatch rates observed by the West Coast Groundfish Observer Program and applied to annual total groundfish bottom trawl effort (Table 3). All estimates in this table (except the last column) are derived from a sum over strata cells; see the text for details.

Year	Trawl Effort (hours)	Estimated Halibut Bycatch (numbers)	Estimated Halibut Bycatch (kg, round)	Estimated Halibut Bycatch (lbs, net)	Estimated Total Halibut Mortality (lbs, net)	Estimated Legal-Sized Halibut Mortality (lbs, net)	Estimated Legal-Sized divided by Total Halibut Mortality
1998	92,294	164,961	1,259,374	2,082,690	1,041,345	691,755	0.6643
1999	81,420	147,995	1,144,236	1,892,280	946,140	638,091	0.6744
2000	70,363	122,234	944,120	1,561,338	780,669	523,097	0.6701
2001	67,199	124,969	962,348	1,591,482	795,741	532,912	0.6697
2002	52,168	NA	618,913	1,023,527	511,764	286,221	0.5593
2003	58,339	NA	558,544	923,693	461,847	366,745	0.7941
2004	37,495	NA	296,225	489,882	244,941	171,754	0.7012

Note: Halibut bycatch by California bottom trawl fishery is not included. Mortality estimated at 50% of bycatch. Proportion of legal-sized mortality (>81 cm) estimated from length frequencies of fish measured by the West Coast Groundfish Observer Program. 1 kg, round = 1.65375 pounds, net weight.

Table 7. Summary of total estimated bycatch mortality of Pacific halibut, in thousands of pounds, net weight, by fishery in 2A. Bycatch mortality estimates for 1977-1997 are reported from Table 6 in Williams, et al. 1998.

Year	Foreign, JV & Catcher-Proc.	Groundfish Trawls	Shrimp Trawls	Hook & Line	TOTAL
1977	3	308	82	16	409
1978	2	308	82	16	408
1979	1	308	82	16	407
1980	1	308	82	16	407
1981	Trace	308	82	16	406
1982	Trace	308	82	16	406
1983	1	308	82	16	407
1984	Trace	308	82	16	406
1985	Trace	308	82	16	406
1986	1	308	82	16	407
1987	1	308	82	16	407
1988	1	308	82	16	407
1989	2	308	82	16	408
1990	2	308	82	16	408
1991	2	308	82	16	408
1992	0	385	43	16	444
1993	0	385	43	16	444
1994	0	385	43	16	444
1995	0	548	50	16	614
1996	0	548	50	16	614
1997	0	548	50	16	614
1998	0	1,041	25	---	---
1999	---	946	---	---	---
2000	---	781	---	---	---
2001	---	796	---	---	---
2002	---	512	---	---	---
2003	---	462	---	---	---
2004	---	245	---	---	---

Note: Bycatch mortality by groundfish trawls in 1998-2003 does not include fisheries off California. Bycatch mortality by shrimp trawls in 1998 does not include fisheries off California and Washington.

Table 8. Summary of estimated mortality of legal-sized Pacific halibut, in thousands of pounds, net weight, by fishery in 2A. The bycatch mortality estimate for legal-sized halibut for 2002 is from this report. (Sums across fisheries may not always equal the TOTAL due to rounding.)

Year	Foreign, JV & Catcher-Proc.	Groundfish Trawls	Shrimp Trawls	Hook & Line	TOTAL
1977	2	191	51	10	254
1978	1	191	51	10	253
1979	0.6	191	51	10	252
1980	0.6	191	51	10	252
1981	Trace	191	51	10	252
1982	Trace	191	51	10	252
1983	0.6	191	51	10	252
1984	Trace	191	51	10	252
1985	Trace	191	51	10	252
1986	0.6	191	51	10	252
1987	0.6	191	51	10	252
1988	0.6	191	51	10	252
1989	1	191	51	10	253
1990	1	191	51	10	253
1991	1	191	51	10	253
1992	0	239	27	10	275
1993	0	239	27	10	275
1994	0	239	27	10	275
1995	0	340	31	10	381
1996	0	340	31	10	381
1997	0	340	31	10	381
1998	0	692	16	---	---
1999	---	638	---	---	---
2000	---	523	---	---	---
2001	---	533	---	---	---
2002	---	286	---	---	---
2003	---	367	---	---	---
2004	---	172	---	---	---

Note: Bycatch mortality by groundfish trawls in 1998-2003 does not include fisheries off California. Bycatch mortality by shrimp trawls in 1998 does not include fisheries off California and Washington.

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON PACIFIC HALIBUT
BYCATCH IN INTERNATIONAL PACIFIC HALIBUT COMMISSION AREA 2A

Dr. Jim Hastie (Northwest Fisheries Science Center) briefed the Scientific and Statistical Committee (SSC) on estimates of halibut bycatch for 2004 as described in the report produced by Wallace and Hastie (August 2005; D.2.a, Supplemental Attachment 1). Estimated total halibut mortalities, legal-sized halibut mortalities, and trawl effort have all declined from 1998 through 2004. The net weight of total halibut trawl-fishery bycatch mortalities in 2004 is 47% lower than in 2003. Estimated halibut bycatch and mortality in other gear types has not been updated for 2004. In previous years, bycatch estimates were derived from only a partial year of data. These previous years will be updated to reflect the entire calendar year.

The SSC again requests that 1) when the data become available, the Council should consider exploring the use of observer data to estimate halibut bycatch in other Council-managed fisheries and 2) future analyses should include variance estimates for total bycatch. Also, it would be useful to decompose bycatch rates from spatial effort shifts to better understand what drives trends in bycatch.

The SSC reviewed these new results and endorses their use in estimating the impacts of Council-managed fisheries on the Pacific halibut stock.

PFMC
09/20/05

COMMISSIONERS:

CLIFF ATLEO
PORT ALBERNI, B.C.
JAMES BALSIGER
JUNEAU, AK
RICHARD J. BEAMISH
NANAIMO, B.C.
RALPH G. HOARD
SEATTLE, WA
PHILLIP LESTENKOF
ST. PAUL, AK
JOHN SECORD
VANCOUVER, B.C.

INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA

AND THE UNITED STATES OF AMERICA

DIRECTOR
BRUCE M. LEAMAN

P.O. BOX 95009
SEATTLE, WA 98145-2009

TELEPHONE
(206) 634-1838

FAX:
(206) 632-2983

March 28, 2005

RECEIVED

APR 01 2005

PFMC

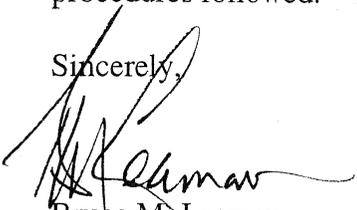
Mr. Stephen P. Reese
Acting Assistant Regional Administrator for Sustainable Fisheries
National Marine Fisheries Service
7600 Sand Point Way NE Bldg #1
Seattle, WA 98115-0070

Dear Mr. Reese:

The International Pacific Halibut Commission staff has reviewed the Experimental Fishing Permit (EFP) concerning full retention in the Pacific whiting fishery, endorsed by the Pacific Fishery Management Council. Based on the bycatch rates observed in 2004, the amount of halibut mortality incurred during this fishery is expected to be low and the Commission supports the initiative for accurate bycatch accounting. This letter authorizes the National Marine Fisheries Service to permit retention, until offloading, of Pacific halibut captured and retained by those trawl vessels participating in the program covered by this EFP during 2005. We assume the vessels and processors receiving the prohibited species must comply with all applicable record keeping and recording requirements for prohibited species landings. The Commission would appreciate receiving an evaluation of this project for the 2004 calendar year and the entire project, upon completion.

Your letter did not indicate the ultimate means of disposal for halibut retained under this permit. Whether the fish are donated for charitable purposes under the provisions of federal regulations, or reduced to fish meal, we would be grateful for information on the procedures followed.

Sincerely,


Bruce M. Leaman
Executive Director

cc: IPHC Commissioners
Dr. D. O. McIsaac

PACIFIC HALIBUT BYCATCH ESTIMATE FOR THE
INTERNATIONAL PACIFIC HALIBUT COMMISSION

Dr. Jim Hastie, National Marine Fisheries Service (NMFS), will brief the Council on the status of bycatch estimates for Pacific halibut in the Council-area groundfish trawl fishery.

The halibut bycatch estimates for the 2004 groundfish trawl fishery in International Pacific Halibut Commission (IPHC) Area 2A waters include information from the groundfish observer program and effects of the groundfish area closures in 2004. A supplemental report was provided to the Scientific and Statistical Committee (SSC) for review with the intent of providing estimates to the IPHC to use in establishing the 2006 halibut fisheries (Supplemental Attachment 1).

Council Task:

- 1. Utilizing input from the SSC, provide any needed Council guidance to the completion of the bycatch assessment and its transmittal to the IPHC.**

Reference Materials:

1. Agenda tem D.2.d, Written Public Comment.
2. Agenda Item D.2.a, Supplemental Attachment 1: Pacific Halibut Bycatch in IPHC Area 2A in 2004.

Agenda Order:

- a. Agenda Item Overview
- b. NMFS Report
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. Council Guidance on Bycatch Estimation Issues

Chuck Tracy
Jim Hastie

PFMC
08/31/05