

## PROPOSED CHANGES TO THE CATCH SHARING PLAN AND 2007 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 2007 at the November 2006 meeting.

### **Council Action:**

- 1. Adopt, for public review, any proposed changes to season structuring and the catch sharing plan for 2007.**

### **Reference Materials:**

1. Agenda Item G.1.a, Attachment 1: 2006 Pacific Halibut Catch Sharing Plan for Area 2A.
2. Agenda Item G.1.b: Washington Department of Fish And Wildlife Report on Proposed Changes to Catch Sharing Plan and 2007 Annual Regulations.
3. Agenda Item G.1.d, Public Comment.

### **Agenda Order:**

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

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PPMC  
08/24/06

## **2006 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 season dates will be set within the season dates determined by the IPHC and implemented in IPHC regulations. The tribal commercial fishery will close when the subquota is taken. 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 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.

- (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 Saturday) until the May allocation is projected to be taken. The fishery will then reopen 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 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 47°25.00' N. lat. south to 46°58.00' N. lat. and east of 124°30.00' W. long. The fishery will continue until September 30, or until the quota is achieved, whichever is earlier. 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 47°25.00' N. lat. south to 46°58.00' N. lat. and east of 124°30.00' 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.

(iv) Columbia River subarea.

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

(v) Oregon central coast subarea.

This subarea extends from Cape Falcon (45°46.00' N. lat.) to Humbug Mountain, Oregon (42°40.50' N. lat.) and is allocated 92.0 percent of the Oregon/California sport allocation minus any amount of pounds needed to contribute to the Oregon portion of the Columbia River subarea quota. The structuring objectives for this subarea are to provide two periods of fishing opportunity in Spring and in Summer in productive deeper water areas along the coast, principally for charterboat and larger private boat anglers, and provide a period of fishing opportunity in the summer for nearshore waters for small boat anglers. Any poundage remaining unharvested in the Spring all-depth subquota will be added to the Summer all-depth sub-quota. Any poundage that is not needed to extend the inside 40-fathom (73 m) fishery through October 31 will be added to the Summer all-depth season if it can be used, and any poundage remaining unharvested from the Summer all-depth fishery will be added to the inside 40-fathom (73 m) fishery subquota, if it can be used. If inseason it is determined via joint consultation between IPHC, NMFS and ODFW, that the combined all-depth and inside 40-fathom (73 m) fisheries will not harvest the entire quota to the subarea, quota may be transferred inseason to another subarea south of Leadbetter Point, WA by NMFS via an update to the recreational halibut hotline. The daily bag limit is one halibut per person, unless otherwise specified, with no size limit. During days open to all-depth halibut fishing, no groundfish may be taken and retained, possessed or landed, except sablefish 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. Any overage in the all-depth fisheries would not affect achievement of allocation set aside for the inside 40-fathom (73 m) curve fishery.

B. The second season is an all-depth fishery with two potential openings and is allocated 69 percent of the subarea quota. Fixed season dates will be established preseason for the first Spring opening and will not be modified inseason except if the combined Oregon all-depth Spring and Summer season total quotas are estimated to be achieved. Recent year catch rates will be used as a guideline for estimating the catch rate for the Spring fishery each year. The number of fixed season days established will be based on the projected catch per day with the intent of not exceeding the subarea subquota for this season. The first opening will be structured for 2 days per week (Friday and Saturday) if the season is for 4 or fewer fishing days. The fishery will be structured for 3 days per week (Thursday through Saturday) if the season is for 5 or more fishing days. The fixed season dates will occur in consecutive weeks starting the second Thursday in May (if the season is 5 or more fishing days) or second Friday in May (if the season is 4 or fewer fishing days), with possible exceptions to avoid adverse tidal conditions. If, following the “fixed” dates, quota for this season remains unharvested, a second opening will be held. If it is determined appropriate through joint consultation between IPHC, NMFS and ODFW, fishing may be allowed on one or more additional days. Notice of the opening(s) will be announced by NMFS via an update to the recreational halibut hotline. The fishery will be open every other week on Thursday through Saturday except that week(s) may be skipped to avoid adverse tidal conditions. The potential open Thursdays through Saturdays will be identified preseason. The fishery will continue until there is

insufficient quota for an additional day of fishing or July 31, whichever is earlier.

C. The last season is an all-depth fishery that begins on the first Friday in August and is allocated 23 percent of the subarea quota. The fishery will be structured to be open every other week on Friday through Sunday except that week(s) may be skipped to avoid adverse tidal conditions. The fishery will continue until there is insufficient quota remaining to reopen for another fishing day or October 31, whichever is earlier. The potential open Fridays through Sundays will be identified preseason. If after the first scheduled open period, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 60,000 lb (27.2 mt) or more, the fishery will re-open on every Friday through Sunday (versus every other Friday through Sunday), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. The inseason action will be announced by NMFS via an update to the recreational halibut hotline. If after the Labor Day weekend, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 30,000 lb (13.6 mt) or more and the fishery is not already open every Friday through Sunday, the fishery will re-open on every Friday through Sunday (versus every other Friday through Sunday), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. After the Labor Day weekend, the IPHC, NMFS, and ODFW will consult to determine whether increasing the Oregon Central Coast bag limit to two fish is warranted with the intent that the quota for the subarea is taken by September 30. If the quota is not taken by September 30, the season will remain open, maintaining the bag limit in effect at that time, through October 31 or quota attainment, whichever is earlier. The inseason action will be announced by NMFS via an update to the recreational halibut hotline.

(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 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.
- (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.

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*Sources:* 71 FR 10850 (March 3, 2006)  
 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)

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED  
CHANGES TO CATCH SHARING PLAN AND 2007 ANNUAL REGULATIONS

The Washington Department of Fish and Wildlife (WDFW) proposes the following changes to the 2007 Pacific Halibut Catch Sharing Plan for Area 2A for consistency with the groundfish regulations adopted for 2007-08 through the Pacific Fishery Management Council biennial management process:

(e) NON-INDIAN COMMERCIAL FISHERIES

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

- (v) A yelloweye rockfish conservation area that is closed to salmon troll fishing is defined by the following coordinates:

48°00.00' N. lat., 125°14.00' W. long.;  
48°02.00' N. lat., 125°14.00' W. long.;  
48°00.00' N. lat., 125°16.50' W. long.;  
48°02.00' N. lat., 125°16.50' W. long.;  
48°00.00' N. lat., 125°14.00' W. long.

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

...A yelloweye rockfish conservation area that is closed to commercial groundfish limited entry fixed gear fisheries, including the primary sablefish fishery, is defined by the following coordinates:

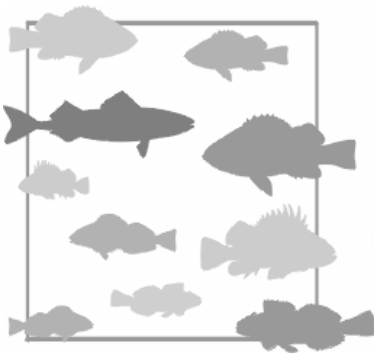
48°11.77' N. lat., 125°13.03' W. long.;  
48°16.43' N. lat., 125°07.55' W. long.;  
48°14.72' N. lat., 125°01.84' W. long.;  
48°13.36' N. lat., 125°03.20' W. long.;  
48°12.74' N. lat., 125°05.83' W. long.;  
48°11.55' N. lat., 125°04.99' W. long.;  
48°09.96' N. lat., 125°06.63' W. long.;  
48°09.68' N. lat., 125°08.75' W. long.;  
48°11.77' N. lat., 125°13.03' W. long.

(f) SPORT FISHERIES

(iii) Washington south coast subarea.

...A yelloweye rockfish conservation area that is closed to recreational groundfish and halibut fishing is defined by the following coordinates:

46°58.00' N. lat., 124°48.00' W. long.;  
46°55.00' N. lat., 124°48.00' W. long.;  
46°58.00' N. lat., 124°49.00' W. long.;  
46°55.00' N. lat., 124°49.00' W. long.;  
46°58.00' N. lat., 124°48.00' W. long.



PORT  
ORFORD  
OCEAN  
RESOURCE  
TEAM

Agenda Item G.1.d  
Public Comment  
September 2006

**P.O.O.R.T. • PO BOX 679 • PORT ORFORD, OR 97465 • (541) 332-0627 • poort@carrollsworld.com**

August 24, 2006

Donald K. Hansen, Chairman  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 201  
Portland, OR 97220

Dear Chairman Hansen:

I am writing on behalf of the Port Orford Ocean Resource Team (POORT), a nonprofit community fisheries organization, to encourage the Pacific Fishery Management Council to consider our proposal for creating a halibut bycatch fishery for the longline sablefish fishery off the southern Oregon Coast. The fishing community of Port Orford, Oregon has a long history of participation in the Pacific halibut fishery. Management changes over time have diminished the opportunity for our fishermen to access the halibut fishery. The combination of short opening periods and small vessel trip limits in the halibut fishery, and RCA restrictions in the groundfish fishery have almost eliminated Port Orford's ability to catch halibut. Port Orford is a small community that depends on fishery resources for a significant proportion of its income. Small amounts of fish make a big difference for our community.

Currently halibut taken incidentally with sablefish must be discarded south of Pt. Chehalis, Washington. National Standard 9 of the Magnuson-Stevens Acts states that "Conservation and management measures shall, to the extent practicable: (1) Minimize bycatch; and (2) To the extent bycatch cannot be avoided, minimize the mortality of such bycatch." Our proposal would support this national standard reducing bycatch and bycatch mortality of halibut.

Enclosed is a proposal for a change in management for the 2A Halibut program, item G1 on the Agenda, that will address our concerns. The proposal would involve some modification to the Catch Sharing Plan. We will also be attending the halibut user group meeting hosted by Oregon Department of Fish and Wildlife on August 24<sup>th</sup>. We will attend the Foster City meeting to also provide public input and be available for questions from the Council.

We appreciate the opportunity to provide input into the future management of Pacific halibut. If you have any questions about the proposal, please contact me at (541) 332-0627.

Sincerely,  
Leesa Cobb  
Program Director

# Port Orford and Pacific Halibut – Planning for the Future

## ***Background***

The community of Port Orford, Oregon, has a direct economic, cultural, and social connection to the Pacific Northwest halibut fishery; Pacific halibut *Hippoglossus stenolepis* is an abundant resource living in the ocean adjacent to the community. Port Orford commercial fishermen have a long history of participation in the 2A halibut fishery. Beginning in the 1980's, management changes by the International Pacific Halibut Commission, along with Pacific Fishery Management Council spatial management regulations implemented in 2002 have forced Port Orford fishermen out of the fishery.

In 2005 only five Port Orford boats, out of the 40 active vessels eligible to participate, fished in the halibut openers. Specific problems include individual boat quotas set by length of vessel, derby-style fishery openers set during unfavorable weather conditions (strong northwest winds and currents) that create dangerous fishing conditions, and closure of traditional fishing grounds. The community has developed a proposal that would create an incidental halibut fishery in the primary limited entry and open access fisheries for sablefish south of 43° N. lat.

## ***Fishery Management***

Since 1923, Pacific halibut has been managed by the United States and Canada through a bilateral commission known as the International Pacific Halibut Commission (IPHC). Each year, the IPHC sets total allowable catch levels for halibut that will be caught in the U.S. and Canadian Exclusive Economic Zones in the northeastern Pacific Ocean. The IPHC refers to U.S. waters off the states of Washington, Oregon, and California collectively as "Area 2A." In 1979, Canada created a limited entry program with individual fishing quotas (IFQs) for the halibut fishery. Following suit, Alaska also implemented an IFQ program in 1995. In the same year, the Pacific Fishery Management Council developed a plan requiring the non-tribal commercial fishermen in Oregon, Washington, and California to choose between participating in the sport charter halibut fishery, commercial directed fishery for halibut, or halibut incidental troll fishery. If the 2A total allowable catch (TAC) is above 900,000 lb, provisions are made to allow for the incidental take of halibut in the sablefish fishery north of Pt. Chehalis (46°53.30' N. lat.). Regulations for Area 2A are set in place by the National Marine Fisheries Service's [Northwest Regional Office](#). Halibut in Area 2A is divided between Tribal and non-Tribal fisheries, between commercial and recreational fisheries, and between recreational fisheries in different states. The [Pacific Fishery Management Council](#) describes this halibut catch division each year in a [Catch Sharing Plan](#).<sup>1</sup>



## ***Synopsis of 2A Commercial Regulations***

### Licensing and Participation:

The IPHC requires a vessel license in area 2A to fish for halibut. Holders of a license may choose to operate either as a charter vessel or a commercial vessel, but not both. Those participating in the sablefish fishery north of Pt. Chehalis, must also possess a longline limited entry permit for the sablefish fishery in addition to the halibut license in order to legally retain incidentally caught halibut. Salmon trollers may also land incidentally caught halibut if they possess a halibut license. Holders of the halibut license may participate in the directed commercial halibut fishery and the sablefish fishery with incidental catch allowance for halibut, or they may participate in the salmon troll fisheries and take halibut incidentally, but not both.

### Catch Limits:

Catch limits are initially determined by the IPHC and are based on an annual stock assessment. The 2A stock assessment is based on the quantitative stock assessment of IPHC area 2B and survey information. The 2A biomass is estimated by multiplying results of the 2B quantitative assessment by the ratio of 2A to 2B survey CPUE weighted by halibut habitat area. The TAC set by the IPHC incorporates information about discard mortality occurring in all fisheries. The allowable harvest for Washington, Oregon, and California is apportioned according the aforementioned Council Catch Sharing Plan (Table 1).

Table 1. IPHC Area 2A 2005 Catch Limits.

<i><b>Fishery</b></i>	<i><b>Catch Limits (pounds)</b></i>
Non-treaty directed commercial (south of Pt. Chehalis)	226,203
Non-treaty incidental catch in salmon troll	39,918
Non-treaty incidental catch in sablefish longline fishery (north of Pt. Chehalis)	70,000
Treaty Indian commercial	452,500
Treaty Indian ceremonial and subsistence (year-round)	38,000
Sport-North of Columbia River	237,257
Sport-South of Columbia River	266,122
Area 2A total	1,330,000

Season and Fishing Period Limits:

The non-treaty directed commercial fishery occurring south of Pt. Chehalis in waters off Washington, Oregon and California can be characterized as a derby fishery. Total catch is set by the IPHC but the Council allocates portions of the catch to the different user groups (see above). The non-treaty directed fishery's portion is determined after subtracting estimates for all other removals, including sport catch, bycatch of legal-sized fish, wastage of legal-sized fish in the halibut fishery, and fish taken for personal use. The fishery is managed by setting 10 hour seasons and typically applies fishing period limits by vessel size to ensure harvest does not exceed the catch limit. For example, in 2005, the non-treaty directed commercial allocation was 226,203 lbs (from above). In area 2A, there is no limited entry program to limit the number of participants in the directed fishery. The IPHC determined there was sufficient effort (by accounting for the number recipients of halibut permits) to require fishing period limits. Period limits are based on relative catch histories by vessel size class (Kaimmer, 1988). Period limits for 2005 are summarized below.

The season opened June 29<sup>th</sup> at 8:00 AM and ended at 6:00 PM (10 hrs duration). Period limits were in effect at the beginning of the season (Table 2). Three additional 10 hr seasons occurred on July 13<sup>th</sup>, July 27<sup>th</sup>, and August 10<sup>th</sup>. Period limits for the last two 10 hr opener's were successively reduced with the last period limit set at about half of the first period limit (Table3).

Table 2. IPHC Area 2A Fishing period limits for June 29, 2005 season.

<i>Vessel Class</i>		<i>Fishing Period Limit (pounds)</i>	
<i>Length</i>	<i>Letter</i>	<i>Dressed, head-on</i>	<i>Dressed, head-off</i>
0-25	A	860	755
26-30	B	1,075	945
31-35	C	1,715	1,510
36-40	D	4,735	4,165
41-45	E	5,090	4,480
46-50	F	6,095	5,365
51-55	G	6,800	5,985
56+	H	10,225	9,000

Table 3. IPHC Area 2A Fishing period limits for August 10, 1005 season.

<i>Vessel Class</i>		<i>Fishing Period Limit (pounds)</i>	
<i>Length</i>	<i>Letter</i>	<i>Dressed, head-on</i>	<i>Dressed, head-off</i>
0-25	A	380	335
26-30	B	475	420
31-35	C	760	670
36-40	D	2,100	1,850
41-45	E	2,260	1,990
46-50	F	2,710	2,385
51-55	G	3,025	2,660
56+	H	4,545	4,000

Area Management:

Rockfish Conservation Area (RCA) regulations in place since 2002 prohibit use of certain gear types within RCA boundaries. Area restrictions between 30 and 100 fm are designed to protect yelloweye rockfish and canary rockfish. A study by Bloeser et al. (2005) indicated that halibut grounds common to Port Orford fishermen fall within RCA boundaries, severely restricting opportunities to harvest halibut (Figure 1).

Size Limits:

The minimum commercial size limit is 32 inches as measured from the tip of the jaw to the middle of the tail, or 24 inches, heads off from the point just forward of the pectoral fin to the middle of the tail. The size limit protects some immature male fish as they begin to mature between the ages of 5 to 13 years at a size of between 30 and 42 inches (Love, 1991). Few of the immature females are protected as they mature between the ages of 8 to 16 years and sizes between 36 and 52 inches (Love, 1991). Yield per recruit analysis have traditionally been used to evaluate size limits, which takes into account the age, size at maturity, fecundity, and growth rate of halibut. Current stock assessments incorporate a selectivity function which reflects the size limit. Harvest levels for the fishery are optimized to maintain a balance between fishing mortality (harvest level), size of entrance into the fishery (size limit and other selectivity factors), and the desired female spawning biomass.

Halibut Incidental Catch Fishery during Salmon Troll Season:

Salmon trollers who obtain an incidental halibut harvest license from the IPHC may retain halibut caught incidentally in Area 2A. License holders may land no more than 1 halibut per 3 Chinook, except 1 halibut may be landed without meeting the ratio requirement and no more than 35 halibut may be landed per trip. Halibut must be legal

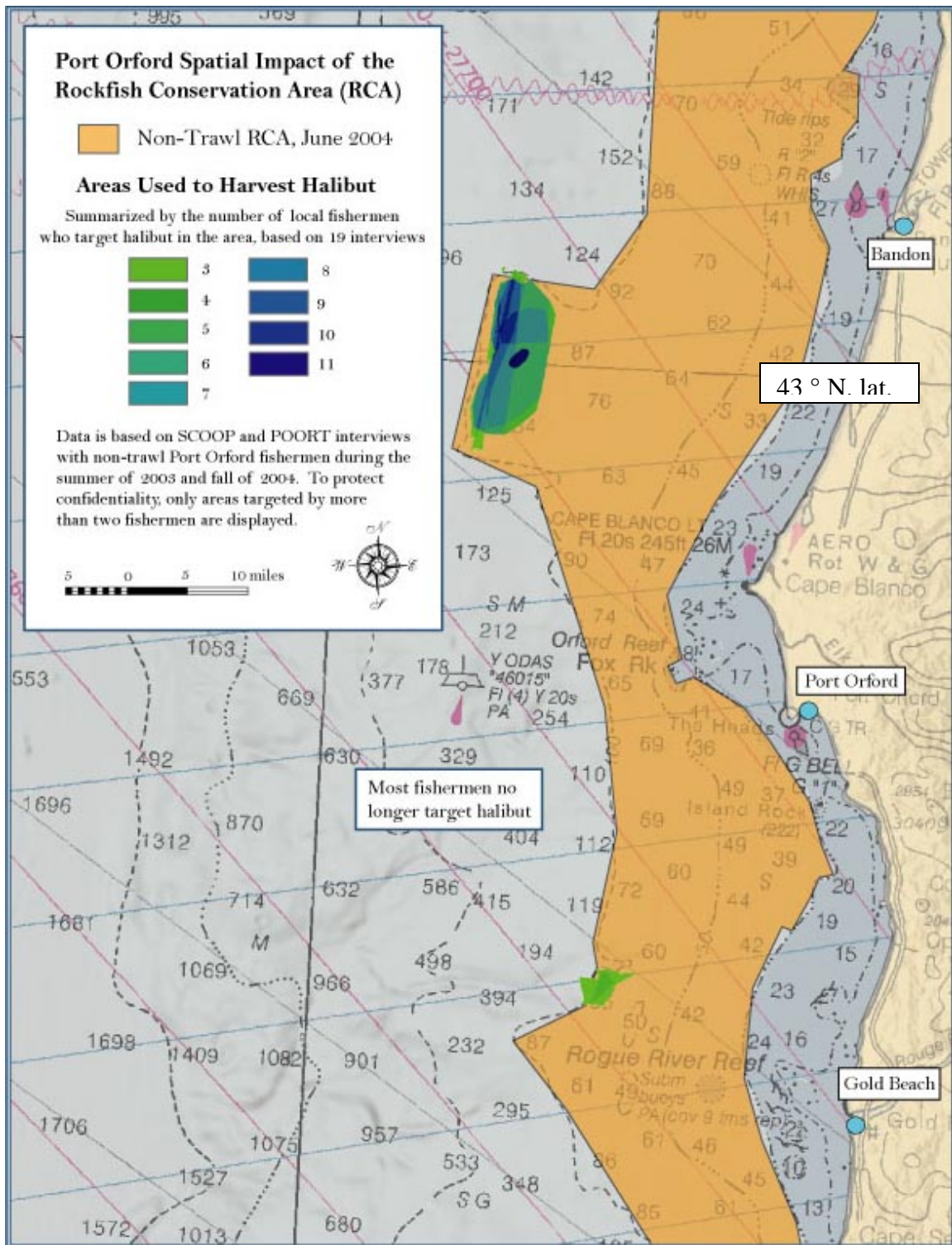


Figure 1. Halibut grounds excluded by RCA restrictions. Image from Bloeser et al. 2005.

size, and those electing to retain incidental halibut may not participated in the directed fishery. The Catch Sharing Plan included an allocation of 39,918 lbs of halibut for the incidental catch in the salmon troll fishery. Once the allocation is taken, halibut may not be retained by salmon trollers.

#### Halibut Incidental Catch Fishery North of Pt. Chehalis:

Sablefish fishermen with a Limited Entry endorsement for the fixed gear (longline) fishery may retain halibut incidental to the directed sablefish fishery north of Pt. Chehalis. They may also participate in the directed halibut fishery within Area 2A. Incidental catch limits are 100 lbs of halibut (dressed weight) per 1,000 lbs of sablefish (dressed weight), and up to 2 additional halibut in excess of the 100 to 1,000 lbs ratio per landing. In 2005, the Catch Sharing Plan included an allocation of 70,000 lbs of halibut for the incidental catch taken in the sablefish fishery (see Table 1, above). Once the allocation has been taken, halibut may not be retained in the directed sablefish fishery.

## **Port Orford Fishery Pounds and Value**

Port Orford has participated in the directed fishery for commercial halibut for several years (Figure 2). Landings have been as high as 36,000 lb and have averaged around 10,000 lb. Port Orford briefly increased landings in 1986 when more boats began longlining successfully for halibut. IPHC imposed vessel length trip restrictions to control catch in 2A and catches began to decline. Under these regulations, smaller boats received smaller limits and the small boat fleet in Port Orford was adversely affected. Recent landings declined sharply due to RCA restrictions implemented in 2001. Port Orford fishermen experienced reduced opportunities to fish as some of the best halibut grounds near the port fell within the RCA boundaries.

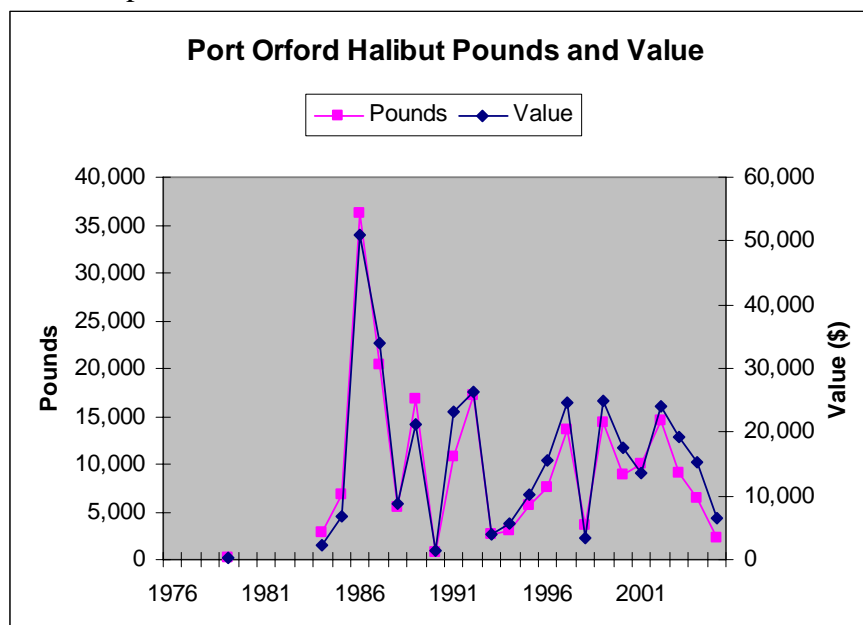


Figure 2. Pounds and value (\$) of Pacific halibut landed into Port Orford (source: Oregon Department of Fish and Wildlife, Pounds and Value Report).

Halibut is a small but important component of the catch mix in Port Orford. Compared to the total commercial fisheries landed catch in Port Orford, halibut represents 0.4 % of the catch by weight and 0.7 % of the value (Table 4).

Table 4. Pounds and value of Port Orford halibut vs. pounds and value Port Orford fish and shellfish.

	<i>Port Orford Halibut</i>			<i>Port Orford Commercial Fish and Shellfish</i>		
	<i>Pounds</i>	<i>Value</i>	<i>Value/Pounds</i>	<i>Pounds</i>	<i>Value</i>	<i>Value/Pounds</i>
<b>20 yr ave. (1986-2005 (partial 05)).</b>	10,455	\$17,535	\$1.78	2,599,082	\$2,560,925	\$0.99
<b>% Halibut in all landings.</b>		0.40%				
<b>% Halibut value of total value</b>		0.68%				

## ***Fleet Characteristics***

The Port Orford fleet is presently composed of about 20 open access boats ranging in length from 25 to 38 feet, and 7 vessels with sablefish endorsed permits ranging in length from 34 to 40 feet. The small size of the fleet means that IPHC vessel class period limits have an adverse impact on the Port Orford fleet. Of the 20 open access boats, 17 have nearshore fisheries permits. The 7 sablefish endorsed permitted boats participate in both the weekly trip limit and primary fishery (tier system) for sablefish. Halibut is landed primarily in the directed fishery, although some is also taken incidental to troll salmon.

## ***Bycatch***

West Coast Groundfish Observer Program (WCGOP) data from 2001-2003 indicate bycatch ratios of 8.4% to 23.2% of Pacific halibut to sablefish (total catch of each, prior to discard) in the hook and line fishery for sablefish (NMFS, 2004). Between 81 to 91% of the halibut were discarded. The IPHC assumes a 25% discard mortality (unobserved) of Pacific halibut caught with hook and line gear in the sablefish fishery (Williams, 2004). We propose a bycatch allowance of 10% consistent with the incidental fishery north of Point Chehalis. The rate would allow rules consistent with the incidental fishery north of Point Chehalis: 100 lbs (dressed weight) of halibut per 1,000 lbs of sablefish (dressed weight), and which falls within estimates of bycatch produced by the WCGOP.

### ***Allocation***

The Ports of Bandon, Port Orford, Gold Beach, and Brookings were combined in a Southern Oregon (SO) port grouping for purposes of the proposed changes to the CSP. Both SO open access (OA) and limited entry (LE) fleet land halibut and sablefish.

A bycatch cap was estimated using an assumed 10% bycatch rate for sablefish catch by longliners during May-October of the base years 1999-2005. The 10% allowance is consistent with the one established for the longline fishery north of Pt. Chehalis. Sablefish catches by the open access and limited entry fleet averaged 279,292 lb, thus the annual cap was set at 27,292 lb (Table 5). Annual bycatch amounts would still be constrained by the 10% rule. For example, if annual sablefish catches were 200,000 lb, the bycatch of halibut landed could be as high as 20,000 lb. If sablefish catch during the May-October period exceed 279,292 lb, halibut bycatch would be limited to 27,292 lb for the 2A sub-area.

The catch cap of 27,292 lb of halibut would need to be sub-allocated to the south coast bycatch fishery from the existing non-tribal commercial quota share by modifying the CSP.

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Table 5. South coast (Bandon, Port Orford, Gold Beach, Brookings) halibut and sablefish average landings (1999-2005) and estimated bycatch by limited entry (LE) and open access (OA) fleet. Estimated bycatch based on an assumed 10% ratio of halibut to sablefish. Gear types include longline and hook and line. Dressed weight fish included were converted to round weight. LE and OA fleet catch by longline gear only.

Year	Sablefish (lb)	Sablefish OY (mt)	South Coast	Halibut (lb)	2A Halibut Biomass (millions of lb)	10% of Sablefish (lb)	Sablefish (lb) May-October	10% of Sablefish (lb) May-October
1999	348,799	7,900	2.0%	11,319	5.36	34,880	343,562	34,356
2000	304,795	7,900	1.8%	11,514	6.11	30,480	295,194	29,519
2001	264,420	7,011	1.7%	21,398	7.44	26,442	255,202	25,520
2002	140,416	4,596	1.4%	13,147	9.25	14,042	139,350	13,935
2003	356,565	6,794	2.4%	7,085	9.10	35,657	305,456	30,546
2004	318,296	7,786	1.9%	2,767	8.50	31,830	274,606	27,461
2005	571,684	7,761	3.3%	21,230	7.00	57,168	341,672	34,167
2006 <sup>1</sup>	353,706	7,634	--	--	7.60	35,371	300,008	30,001
Average <sup>2</sup>	329,282	7,107	2.1%	12,637	7.54	32,928	279,292	27,929

<sup>1</sup> Estimated landings in 2006 are based on the average fraction of coastwide sablefish OY taken south of 43° N. lat. to the Oregon/California by the longline fishery during base years 1999-2005. The average fraction, expressed as a percentage is 2.1% and the sablefish OY is 7,634 metric tons. sablefish OY is 7,634 metric tons.

<sup>2</sup> Averages based on base years 1999-2005.

## Proposed Rule Change

Proposed rule changes suggested here would affect the area south of 43° N. lat. to the Oregon/California border – the operational area for the Port Orford fleet. Affected ports would be Bandon, Port Orford, Gold Beach, and Brookings and vessels delivering there – collectively referred to as the Southern Oregon (SO) fleet. It should also be noted that the 43° N. lat. line is south of Bandon. For purposes of discussion of this proposal, we assume that the fishermen from Bandon who elect to fish sablefish in the bycatch fishery would elect to deliver into ports south of 43° N. lat.

Currently, south coast Pacific halibut landings are mostly from the directed fishery in 2A with a small portion from halibut caught incidental to the troll salmon fishery. All halibut caught south of Pt. Chehalis in other fisheries including open access and primary sablefish fisheries must be released. The proposed rule changes would require changes to the Pacific halibut Catch Sharing Plan (CSP) and would provide for an incidental fishery and directed fishery for halibut.

Meetings were held with representatives of Port Orford fishermen on October 25, 2005 and with ODFW on December 12, 2005. Most of the Port Orford representatives favored changes allowing the taking of halibut incidental to the sablefish fishery, patterned after a similar regulation (See Option 1, Status Quo below) off the Washington coast north of Point Chehalis. Several potential options were discussed including the ability to fish in the directed commercial halibut fishery to the north and the incidental fishery south of the “700” line (43° N. lat.), inclusion of open access fishermen in the incidental fishery, and the ability to bring fish back from the directed fishery south of 43° N. lat. by using a declaration process. Currently, those fishing the directed fishery for halibut must not fish longline gear for 72 hrs prior to the halibut season opener in area 2A. We propose that declaration procedures adopted in the past by ODFW be employed to allow fishermen to bring fish back south that were caught in the directed fishery. It is also the intention of the proposed regulation to prohibit fishing for halibut as bycatch in the sablefish fishery during the short directed fishery for halibut (i.e. no mixing of modes). When fishermen are participating in the bycatch fishery south of 43° N. lat., they would be required to deliver fish to ports within 43° N. lat. and the Oregon / California border. Halibut landed as bycatch must be recorded on the same fish ticket.

Option 2 allows open access vessels and limited entry vessels having a fixed gear-sablefish endorsement to participate in the incidental fishery for Pacific halibut while fishing for sablefish. All options assume that changes in CSP allocations to the commercial fishery would be required to accommodate the incidental fishery. Allocation to the new incidental fishery south of 43° N. lat. would be based on historical catches of sablefish and the incidental catch ratios used in the north of Pt. Chehalis fishery.

**Option 1, Status Quo:**

**Retention of Incidental Halibut Catch in the Primary Sablefish Fishery North of Pt. Chehalis, WA** *(note, original rule has been edited and drafted with 2006 quota information)*

The Pacific halibut CSP and implementing regulations at 50 CFR 300.63 (b)(3) provide for retention of halibut landed incidentally in the limited entry, longline primary sablefish fishery north of Pt. Chehalis, WA (46° 53.30' N.lat.) in years when the Area 2A TAC is above 900,000 lb (408.2 mt). The 2006 Area 2A TAC is 1,380,000 lb (626 mt).

According to IPHC and Federal regulations, Pacific halibut may not be taken by other than hook-and-line gear. Only vessels registered for use with sablefish-endorsed limited entry permits may participate in the primary fixed gear sablefish fishery specified for halibut retention in the CSP. Vessels must also carry IPHC commercial halibut licenses in order to retain and land halibut. Incidental halibut retention in the primary sablefish fishery is only available to vessels operating north of Pt. Chehalis, WA (46° 53.30' N. Lat.). Under Pacific halibut regulations at 50 CFR 300.63, halibut taken and retained in the primary sablefish fishery may not be possessed or landed in the area south of Pt. Chehalis, WA (46° 53.30' N. Lat.).

Similar to 2006, halibut caught incidentally in the primary sablefish fishery may be retained by appropriately licensed longline vessels. In 2007, the amount of incidental halibut retained in the primary sablefish fishery is capped at 70,000 lb (31.8 mt) north of Pt. Chehalis, to ensure that the fishery is maintained as an incidental and not as a directed fishery. The objective for setting annual landing restrictions is to reach the halibut quota for this fishery at about the same time as the primary sablefish season ends, October 31, and to ensure an equitable sharing of halibut landings among fishers. To achieve this objective, incidental halibut retention in the sablefish fishery over the past few years has been structured as a ratio of halibut landings permitted in relation to sablefish landings.

Therefore, the Pacific Council recommended, and NMFS is implementing the following: Beginning May 1, 2007, and continuing until the halibut quota (70,000 lbs or 31.8 mt) is taken, longliners eligible to participate in the primary sablefish fishery north of Pt. Chehalis, WA (46° 53.30' N. lat) (see also 50 CFR 660.372(a)) with appropriate IPHC licenses may retain incidental halibut landings up to 100 lbs (45 kg) (dressed weight) of halibut for every 1,000 lbs (454 kg) (dressed weight) of sablefish landed and up to two additional halibut in excess of the 100 lb (45 kg) per 1,000 lb (454 kg) ratio per landing. Halibut may not be on board a vessel that has any gear other than longline gear on board (e.g., pot or trawl gear).

## **Option 2:**

### ***Retention of Incidental Halibut Catch in the Sablefish Fishery South of 43° N. lat. to the Oregon/California Border (with provision to land Pacific halibut taken north of 43° N. lat. in the directed halibut fishery, south of 43° N. lat.)***

The Pacific halibut CSP and implementing regulations at 50 CFR 300.63 (b)(3) provide for retention of halibut landed incidentally in the sablefish fishery south of 43° N. lat. to the Oregon/California border in years when the Area 2A TAC is above 900,000 lb (408.2 mt). The 2006 Area 2A TAC is 1,380,000 lb (626 mt).

According to IPHC and Federal regulations, Pacific halibut may not be taken by other than hook-and-line gear. Only vessels 1) registered for use with appropriate Federal sablefish-endorsement limited entry permits, or 2) **open access vessels participating in the hook-and-line groundfish fishery for sablefish may participate retain incidental Pacific halibut.** Vessels must also carry IPHC commercial halibut licenses in order to retain and land halibut. Incidental halibut retention in the primary and open access sablefish fishery is only available to vessels operating south of 43° N. lat. to the Oregon/California border. Under Pacific halibut regulations at 50 CFR 300.63, halibut taken and retained in the primary and open access sablefish fishery south of 43° N. lat. may not be possessed or landed in the area north of 43° 00' N. lat. **or south of the Oregon/California border.** Pacific halibut taken north of 43° N. lat. directed fishery targeting halibut may not be possessed or landed south of 43° N. lat. without the vessel operator first making a declaration by providing 24 hrs notice to the National Marine Fisheries Service or **designee,** of intent to land fish taken north and landed south of 43° N. lat.

In 2006, the amount of incidental halibut retained in the primary and open access sablefish fishery is capped at (**the amount specified in the CSP**) south of 43° N. lat., to ensure that the fishery is maintained as an incidental and not as a directed fishery. The objective for setting annual landing restrictions is to reach the halibut quota for this fishery at about the same time as the sablefish season ends, to ensure an equitable sharing of halibut landings among fishers. To achieve this objective, incidental halibut retention in the sablefish fishery over the past few years has been structured as a ratio of halibut landings permitted in relation to sablefish landings.

Therefore, the Pacific Council recommended, and NMFS is implementing the following: Beginning May 1, 2007, and continuing until the halibut quota (**the amount specified in the CSP** in Area 2A south of 43° N. lat.) is taken or until October 31, 2007, longliners eligible to participate in the primary and open access sablefish fishery south of 43° N. lat. (see also 50 CFR 660.372(a)) with appropriate IPHC licenses may retain incidental halibut landings up to 100 lbs (45 kg) (dressed weight) of halibut for every 1,000 lbs (454 kg) (dressed weight) of sablefish landed and up to two additional halibut in excess of the 100 lb (45 kg) per 1,000 lb (454 kg) ratio per landing. Halibut may not be on board a vessel that has any gear other than longline gear on board (e.g., pot or trawl gear).

## ***Rationale***

This option provides for an incidental fishery in Southern Oregon waters where access to Pacific halibut grounds is limited and participation in the directed halibut fishery is problematical. Option 2 is flexible, allowing open access and limited entry fishermen the ability to participate in the incidental fishery and directed fishery for Pacific halibut. Pacific halibut and sablefish are caught by both open access and limited entry fleets and their contributions to the south coast small port economies are both important. This option allows both classes of fishermen to retain some halibut while fishing for sablefish, thus making better use of the resource. Potential expansion of the open access fleet and/or increased halibut catch is constrained in several ways: 1) the amount of Pacific halibut allocated for the incidental fishery has been limited with a harvest cap, and 2) open access fishing for sablefish is typically constrained by small trip limits. For example, 2006 sablefish trip limits for the open access fishery are 300 lb per day or 1,000 lb per week, not to exceed 3,000 to 5,000 lb per 2 month period (depending on the time of year).

The ratio of incidental catch of halibut is consistent with the incidental fishery north of Pt. Chehalis, is based on historical catches of sablefish in the SO area, and falls within the catch ratios estimated by the WCGOP. The cap of 27,929 lbs falls within a range of bycatch that might be reasonably expected in the sablefish longline fishery. Note that although the cap is based on a round weight, it is assumed that the application of the ratio of 100 lbs of halibut to 1,000 lbs of sablefish would be in terms of dressed weight. We anticipate less participation by the SO fleet in the directed fishery due to the difficulties the fleet has had (described above) and benefits of an incidental fishery (non-derby fishery, better use of bycatch, spreading catch throughout season, etc.).

## References

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Table 5. South coast (Bandon, Port Orford, Gold Beach, Brookings) halibut and sablefish average landings (1999-2005) and estimated bycatch by limited entry (LE) and open access (OA) fleet. Estimated bycatch based on an assumed 10% ratio of halibut to sablefish. Gear types include longline and hook and line. Dressed weight fish included were converted to round weight. LE and OA fleet catch by longline gear only.

Year	Sablefish (lb)	Sablefish OY (mt)	South Coast	Halibut (lb)	2A Halibut Biomass (millions of lb)	10% of Sablefish (lb)	Sablefish (lb) May October	10% of Sablefish (lb) May-October
1999	348,799	7,900	2.0%	21,193	5.36	34,880	343,562	34,356
2000	304,795	7,900	1.8%	10,957	6.11	30,480	295,194	29,519
2001	264,420	7,011	1.7%	11,184	7.44	26,442	255,202	25,520
2002	140,416	4,596	1.4%	20,583	9.25	14,042	139,350	13,935
2003	356,565	6,794	2.4%	12,657	9.10	35,657	305,456	30,546
2004	318,296	7,786	1.9%	7,067	8.50	31,830	274,606	27,461
2005	571,684	7,761	3.3%	2,767	7.00	57,168	341,672	34,167
2006 <sup>1</sup>	353,706	7,634	--	--	7.60	35,371	300,008	30,001
Average <sup>2</sup>	329,282	7,107	2.1%	12,344	7.54	32,928	279,292	27,929

<sup>1</sup> Estimated landings in 2006 are based on the average fraction of coastwide sablefish OY taken south of 43° N. lat. to the Oregon/California by the longline fishery during base years 1999-2005. The average fraction, expressed as a percentage is 2.1% and the sablefish OY is 7,634 metric tons. sablefish OY is 7,634 metric tons.

<sup>2</sup> Averages based on base years 1999-2005.

Pacific Fishery Management Council  
7700 N.E. Ambassador Place , Suite 101  
Portland, Or. 97220

August 28, 2006

RECEIVED

AUG 28 2006

PFMC

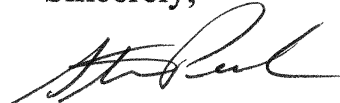
Steve Prock  
3051 N.E. Columbia Blvd.  
Portland, Or. 97211  
503-288-5158

Dear Members,

We fish the spring halibut fishery in area 2A out of Hammond ,Oregon. In 2006 this season lasted 27 days before the 14357# quota was reached. Oregon contributes 65% of the quota and Washington 35%. The Washington fleet landed 57% of this Quota. Historically the Washington fleet lands 1/2 to 2/3's of the spring quota but only provides 1/3 of the available fish.

I feel that the quota should be split so Oregon's fishermen and merchants get the benefits out of the fishery they deserve.

Sincerely,



Steve Prock



①

RECEIVED

AUG 30 2006

PFMC

Louie Baier

8-29-06

5055 NE Elliott Cir<sup>SE</sup>  
Corvallis OR 97330

Ph 541 752 0477

Please excuse my poor  
writing skills.

To Pacific Fishery Management Council

Dear Committy I have a lot  
of concerns about all our fisherys  
and how there managed. It is that  
the Hascine Done on the Rouge  
River and Bonniville to Diture  
The Sea lions for eating Salmon  
is I think very stupid. Has any  
one considered what Throwing explosives  
into the water To Scare  
the Seals might have an impact  
on the fish. I thought The fish  
were very sensitive sound and  
vibration Even to the point of  
feeling as injured fish vibration.  
So ~~How~~ ~~Whos~~ ~~How~~ stupid Idea Throwing

(2)  
Explosives in the water will do.  
another thing is when did  
the Tribes became commercial  
fisherman. I thought that there  
were allowed subsistence fishing.  
I've witnessed the Indians keeping  
wild steelhead they must know  
at <sup>Cascade Locks</sup> ~~what~~ there doing because they  
give it to a woman and she  
put it in a car and took off.

When are they going to learn  
how to manage there net up in  
the Pool. They continue to loose  
there nets then they become  
killer ghost nets. IF they  
Havent figured out how to make  
there nets more secure then  
I think there eather ill Respon-  
sible or stupid.

③ I Don't Know why are we allowing the Tribes to have 35% of the halibut. I didn't know that Indians ever went out in the ocean and caught Halibut, that goes back to when did the Indians become whole sellers of fish, and when did all the charters become sports men at the last meeting there were 3 sports men & I believe were with the charters in thinking the charters continue too want only 1 fish per day and a larger over all tag limit of 8 or 10. If I had to go 8 or 10 times 35 miles out to where the Halibut are, I could buy a new boat for what it would cost me in expenses

④ I believe the only Reason they want 1 fish and Larger limit is for the captains and crew To get more Halibut. There not one bit concerned about what sportsmen have to spend, I know its for themselves because at the meeting at the Hatfield center on the 24th. it was expressed by one of the charter owners that they wanted the fish for there family's. I questioned the Reason for so many fish and she said that there family likes Halibut. I said that there are bottom fish and salmon besides Halibut and Replied why would

⑤ you need so much fish and was tolled they kids like Halibut. Now is That thinking any way of what the sports-man have too spend ~~in~~ and the Risk of going out in a smaller Boat. I think Not its all For them selves. Because there going out There any way at the sports mans expense. So they are able To get more Fish. 8-10.

I think we should be allowed 2 fish a day and have more opportunity every in the year when the water is cold and the Fish bite Better.

⑥ I would like may be a smaller Tag Limit for more fish a day and more Fishing Days in the earlier season. I heard one charter caption say that 3 Days of Fishing for Halibut was exhausting and they don't make as much fishing a longer Trip than fishing closer to Shore for bottom fish or salmon because they could have a full Boat twice a day and not be so tired. The sports men are not considered in the fact, Not all every other week and 3 day are very condusive for the working sportsman, especially now the price of everything is up from tackle Bait \$5.00 I could by some nice Beef steaks.

⑤ For what the sportsman spends  
for Bait, and the cost of  
gas To drive longer Distances  
To the ocean, I believe  
Oregons Ideas of fish manage-  
ment are not up to Date.  
Most of the Hatchery fish  
we are allowed To keep are  
~~from~~ from other states, and  
thinking of Returning To a wild  
fish is Rediculous. we leave  
The Dams in the Rivers where  
There were Hatcherys ~~not~~ allowing  
fish up the streams any way is  
stupid. I would like the people  
Managing the Fish should open  
there eyes, The Role of not  
allowing us To keep bottom  
fish is stupid the coment from

⑧ a charter captain and the fish manager that The fish Red Fish in particular and be sent Back down 600-900 feet and Released and they will be ok. Yeh ok the fish Dead on The bottom instead of Floating ON the surface. How can a Fish survive when its Eyes are completely out side of its Head with Large pockets of air in its eye and is ~~the~~ swim bladder is out of its mouth. Sure you can Deflate The Bladder But How much Shock can a fish Take. Is there Real!



(9) Proff that that fish  
lived we don't know for  
Real, and How many times  
is a person To ~~Reel~~ Reel 600'  
OR 900' Just To make a fish  
Disaper. that is exsauhing  
To Reel in That much ~~B~~ Line

Besides a few fish caught  
By sports man I don't Believe  
is very sugnificant compared  
To commercial Toll. I witness  
ed a commercid craber Last  
winter that had about 200 lb  
of canary Too small ~~the~~ To  
even get a Two inch Fiellet  
for crab Bait. If this is  
Just one

(10) Time Just imagine how much others are dead. Time for common science is much needed and more though of the sportsman considered. As for the insatiable catch of Canary or yellow Eye most sportsman are using too small of a bait and Rig. The Tackle shops have too small a Rigging for Halibut and we use Shad <sup>OR large Herring</sup> for bait and make our own Rigs which are much larger than most that are available at Tackle shops. Maybe the Rig Requirement should be Regulated

⑪ because with a much larger Rig and 6" square chunk of Shad or a very Big Heering we have no trouble catching Halibut, We do not have any Red Fish either.

I would like more of a daily limit and more day available to fish per week to allow for people who work weekends and weather. you know us smaller boats can't get out there a lot of day the charter can.

(12) I Really Don't care How  
Tired the ~~captian~~ Captian and  
Crews on charters get,  
give the working man his  
Do. And Have a meeting  
That a working man can attend

Thank you

Sincerely ✓

Louis & Bain

FROM : THEVIK

PHONE NO. : 3602899120

Agenda Item G.1.d  
Supplemental Public Comment 3  
September 2006

9/4/2006

Philip Anderson  
Assistant Director  
Intergovernmental Resource Management

RE: Northern Boundary Line Revision for 2A Halibut Fishery  
Phil:

My name is Larry Thevik I am a lifetime resident of Washington State and have been a commercial fisherman for over thirty years. I have participated in the directed area 2A halibut fishery for over fifteen years. Although I have not fished every year the halibut fishery has provided a significant portion of fishing income over the years. The past several years the opportunity and likelihood of economic success for Washington central and northern fishers has been significantly reduced. The cost to travel to areas of known halibut habitat in other states has increased dramatically while catch rates have decreased.

The areas off of Washington presently open to a directed 2A fishery include very little productive halibut ground. The existing northern boundary of the directed area 2A fishery falls just short of productive halibut ground, (recent surveys support this conclusion). Although many Washington halibut fishers would prefer a major change in allocation and accessible areas a relatively minor change in the northern boundary line of the directed 2A fishery would be welcomed and supported.

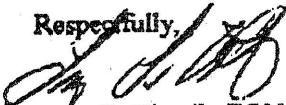
I have contacted a few other local fishers. They recommend a revised northern boundary of 47 degrees 20 minutes N. The second option would be 47 degrees 10 minutes N. The third option would be 47 degrees N., (or somewhere in between). A change in the northern boundary line falling short of 47 degrees N. would offer little significant change in halibut fishing opportunity for Washington fishers.

I am hopeful you will request the PPMC, at their upcoming meeting, to consider and implement a northern boundary line revision for the directed 2A commercial halibut fishery for 2007. I am further hopeful that a relatively minor change will provide a significant positive fishing opportunity for Washington fishers without a major upheaval in allocation or present management considerations.

I have contacted the following fishers out of Westport and they also support a northern line revision.

Mike McDaniel, F/V Wyoming  
Al Jones, F/V Condor  
Brian Catterall, F/V Miss Laura  
Bruce Rambo, F/V Maddock  
Gary Graham, F/V Nyoda  
Gary Fletcher, F/V Sadi Mari

Respectfully,



Larry L. Thevik, F/V Midnight Star  
PO Box 88  
Ocean Shores, WA 98569

PORT ORFORD OCEAN RESOURCES TEAM REPORT ON PROPOSED CHANGES  
TO CATCH SHARING PLAN AND 2007 ANNUAL REGULATIONS

The Port Orford Ocean Resources Team (POORT) held two meetings in Port Orford to develop a southern Oregon proposal for a bycatch fishery for Pacific halibut taken in the sablefish longline fishery. In addition, POORT presented its proposal to commercial stakeholders at an ODFW sponsored meeting on halibut management in August 2006.

Based on public comment we received and the apparent need to clarify our proposal in Agenda Item G1.d Public Comment, we support the following proposal, with modifications, to the 2007 Pacific Halibut Catch Sharing Plan for Area 2A, section (f) NON-INDIAN COMMERCIAL FISHERIES. We would be happy to work with staff to craft suggested changes to Catch Sharing Plan language.

**Non-Indian Commercial Fisheries Area 2A (South of Point Chehalis, WA)**

**The allocation for the directed fishery is approximately 17.5% of the Area 2A TAC. For the 2007 season, implement the following changes:**

**a) Reduce the non-Indian Commercial allocation for 2A by 5% and re-allocate for incidental catch in the sablefish longline fishery south of 43° N. lat. to the Oregon/California border.**

**Rationale:** Recent changes in the management of groundfish and earlier changes in halibut management have severely constrained the ability of Port Orford to catch Pacific halibut. Rockfish conservation areas (RCAs) preclude access to grounds used in the directed fishery. Sablefish is an important component of the southern Oregon fishery, yet halibut caught incidental to sablefish must be discarded. POORT requests a small reallocation of the 2A TAC to allow retention of halibut taken incidentally to sablefish in the commercial longline fisheries south of 43° N. lat. to the Oregon/California border. The amount requested is less the recent historical average for the southern Oregon ports. In 2006, it would have amounted to 11,748 pounds. South coast fishermen feel that an incidental fishery south of 43° N. lat. would be better use of limited resources by preserving and enhancing the economic base and employment opportunities for small communities (National Standard 8), and by reducing bycatch (National Standard 9).

**b) Define the southern Oregon incidental fishery area within Area 2A as the area between 43° N. lat. and the Oregon/California Border.**

**Rationale:** There is strong support among fishermen within the area south of 43° N. lat. to the Oregon/California border for a fishery allowing the retention of halibut taken in the longline fishery for sablefish. Support for such a fishery coastwide in lieu of a directed fishery is less clear. Thus, the balance of Area 2A would remain available for commercial fishers participating in the directed fishery.

**c) Add a forth option for commercial fishers allowing them to elect to participate in the directed commercial fishery in Area 2A, and the incidental fishery south of 43° N. lat. to the Oregon/California border. Currently, there are three options on the halibut permit application. Commercial fishers may elect to fish halibut incidental to the salmon troll fishery or participate in the directed fishery for halibut, or participate in the both the directed fishery for halibut south of Pt Chehalis and the incidental fishery north of Point Chehalis.**

Rationale: We wish to parallel, somewhat, the existing rule structure. North of Point Chehalis, commercial fishermen can participate in the directed and incidental fishery, or retain halibut in the salmon troll fishery. We advocate allowing the same in the proposed incidental fishery south of 43° N. lat. to the Oregon/California border.

**d) Limited entry and open access fishers may retain halibut caught incidentally in the longline sablefish fishery south of 43° N. lat. to the Oregon/California border.**

Rationale: Both longline and open access commercial fishermen make significant contributions to the sablefish landed into southern Oregon ports. Both classes of fishermen have participated in the directed fishery for halibut. Halibut is also taken by both limited entry and open access fishermen incidental to sablefish, and discarded at present.

**e) Those commercial fishers electing to participate in the directed fishery targeting halibut in Area 2A must declare in writing and must notify NMFS or designee 24 hrs before by phone their intent to deliver south of 43° N. lat. Halibut taken incidental to sablefish south of 43° N. lat. must be delivered into ports south of 43° N. lat. to the Oregon/California border.**

Rationale: All vessels participating in the halibut fishery must be identified and registered with the IPHC, and have a permit from the IPHC. Declaration procedures are necessary to identify and account for halibut taken from the allocation of the Area 2A non-Indian commercial quota, and from the proposed incidental fishery. Far off shore fisheries declarations have been used in the past to make notification of fish taken outside of the management area and transport them to ports within the management area. We suggest using a similar procedure for those commercial fishers electing to participate in the Area 2A directed fishery and bring fish (see attached example). In practice, few boats north of Point Chehalis fish the directed fishery in Area 2A. We also anticipate that few boats south of 43° N. lat. will elect to participate in the directed fishery to the north due to vessel size limit restrictions and limited access to grounds.

**f) Initially, set the retention rate for Pacific halibut in the sablefish fishery south of 43° N. lat. to the Oregon/California border the same as for the incidental catch ration used north of Point Chehalis, WA. – 100 lbs of halibut for every 1,000 lbs of sablefish (dressed weight) landed, and up to 2 halibut in excess of the 100 lb per 1,000 ratio per landing.**

Rationale: Some concern was expressed that a sub-allocation for an incidental fishery south of 43° N. lat. to the Oregon/California border might be left on the table and be lost from the overall commercial allocation. We've addressed this in two ways: 1) reducing the allocation amount to 5%, and 2) keeping the incidental catch ratio fairly liberal to start with. With the ratio at 100 lb of halibut per 1,000 lb sablefish, there is more likelihood that the allocation would be used. Either could be adjusted at some future date.

**g) Constrain the incidental catch fishery south of 43° N. lat. to the Oregon/California border to the period May 1, to October 31 of each year, or until the 5% allocation is taken.**

Rationale: It is hoped that the incidental allocation and ratio limits would permit an incidental allowance that would last throughout the season. Either way, the allocation would not be exceeded and the incidental fishery would take place during the time period of peak activity for the sablefish fishery.



**Example Pacific Halibut Directed Fishery Declaration**

(patterned after OAR 635-04-135)

635-04-xxx (1) The vessel operator of any vessel participating in the Pacific halibut non-Indian 2A commercial fishery north of 43° N. lat. intending to land halibut south of 43° N. lat. shall notify the Department of any such fishing trip at least 48 hours prior to leaving port by writing to the Oregon Department of Fish and Wildlife, 2040 SE Marine Science Drive, Newport, Oregon 97365, or by calling 503-867-4741 during regular business hours Monday through Friday. Such a declaration shall include the area to be fished and the intended port of landing, including the identification of the processor to whom delivery will be made.

(2) In addition, 24 hours or more prior to landing, the vessel operator shall notify the Department at the telephone number listed above, during regular business hours, or the Oregon State Police at other times, telephone number 541-247-6641, 541-776-6111, or 503-378-3720, of the following:

- (a) Vessel name and documentation number;
- (b) Estimated time of arrival;
- (c) Port of landing;
- (d) Processor's location; and
- (e) Estimated weight of fish on board.

(3) Any vessel participating in the directed fishery for Pacific halibut north of 43° N. lat. shall not, at the same time, participate in the incidental fishery for Pacific halibut in the sablefish fishery south of 43° N. lat. to the Oregon/California border.

**Example Draft Rule Wording**

***Retention of Incidental Halibut Catch in the Sablefish Fishery South of 43° N. lat. to the Oregon/California Border (with provision to land Pacific halibut taken north of 43° N. lat. in the directed halibut fishery, south of 43° N. lat.)***

The Pacific halibut CSP and implementing regulations at 50 CFR 300.63 (b)(3) provide for retention of halibut landed incidentally in the sablefish fishery south of 43° N. lat. to the Oregon/California border. The amount sub-allocated to this bycatch fishery shall not exceed 5% of area 2A non-Indian commercial allocation. The non-tribal commercial allocation for 2006 was 234,960 lbs south of Pt. Chehalis, thus the bycatch quota for the southern fishery is set at 11,748 lbs.

According to IPHC and Federal regulations, Pacific halibut may not be taken by other than hook-and-line gear. Only vessels 1) registered for use with appropriate Federal sablefish-endorsement limited entry permits, or 2) open access vessels participating in the hook-and-line groundfish fishery for sablefish may participate retain incidental Pacific halibut. Vessels must also carry IPHC commercial halibut licenses in order to retain and land halibut. Incidental halibut retention in the primary and open access sablefish fishery is only available to vessels operating south of 43° N. lat. to the Oregon/California border. Under Pacific halibut regulations at 50 CFR 300.63, halibut taken and retained in the primary and open access sablefish fishery south of 43° N. lat. may not be possessed or landed in the area north of 43° 00' N. lat. or south of the Oregon/California border. Pacific halibut taken north of 43° N. lat. directed fishery targeting halibut may not be possessed or landed south of 43° N. lat. without the vessel operator first making a declaration by providing 48 hrs written notice and 24 hrs notice by telephone to the National Marine Fisheries Service or designee, of intent to land halibut taken north and landed south of 43° N. lat.

In 2007, 5% of the non-Indian commercial allocation for Area 2A was re-allocated under the catch sharing plan to create a cap on the amount of incidental halibut retained in the primary and open access sablefish fishery south of 43° N. lat. to the Oregon/California border. The cap was established to ensure that the fishery is maintained as an incidental and not as a directed fishery. The objective for setting annual landing restrictions is to reach the halibut quota for this fishery at about the same time as the sablefish season ends, to ensure an equitable sharing of halibut landings among fishers. To achieve this objective, incidental halibut retention in the sablefish fishery over the past few years has been structured as a ratio of halibut landings permitted in relation to sablefish landings.

Therefore, the Pacific Council recommended, and NMFS is implementing the following: Beginning May 1, 2007, and continuing until the halibut quota (the amount specified in the CSP in Area 2A south of 43° N. lat.) is taken or until October 31, 2007, longliners eligible to participate in the primary and open access sablefish fishery south of 43° N. lat. to the Oregon/California border (see also 50 CFR 660.372(a)) with appropriate IPHC licenses may retain incidental halibut landings up to 100 lbs (45 kg) (dressed weight) of halibut for every 1,000 lbs (454 kg) (dressed weight) of sablefish landed and up to two additional halibut in excess of the 100 lb (45 kg) per 1,000 lb (454 kg) ratio per

landing. Halibut may not be on board a vessel that has any gear other than longline gear on board (e.g., pot or trawl gear).

POORT SUGGESTED CATCH SHARING PLAN LANGUAGE CHANGES

Add the following language to Section (e) NON-INDIAN COMMERCIAL FISHERIES

**(4) Incidental catch in the sablefish fishery south of 43° N. lat. to the Oregon/California border.**

**The allocation of the non-Indian commercial directed fishery is approximately 17.5 percent of the Area 2A TAC. Of this amount, 5% is sub-allocated for retention of incidental halibut catch in the sablefish fishery south of 43° N. lat. to the Oregon/California border. Initially, the amount of halibut retained is set at 100 lbs of halibut per 1,000 pounds of sablefish landed (dressed weight), and up to two additional halibut in excess of the 100 lb (45 kg) per 1,000 lb (454 kg) ratio per landing. Halibut may not be on board a vessel that has any gear other than longline gear on board (e.g., pot or trawl gear).**

**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 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)(5) Commercial license restrictions/declarations.**

Commercial fishers must choose either **of the following three options: (1) to operate in the directed fishery in Area 2A and/or retain halibut caught incidentally in the primary directed sablefish fishery north of Point Chehalis, WA, or (2) to operate in the directed fishery Area 2A and/or retain halibut caught incidentally in the primary and open access sablefish fishery south of 43° N. lat. to the Oregon/California border or (2) (3) 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 **or commercial fishers operating in the directed halibut fishery and/or retaining halibut caught incidentally in the primary and open access fishery south of 43° N. lat. to the Oregon/California border** 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. **Commercial fishermen who elect option (2) above and choose to participate**

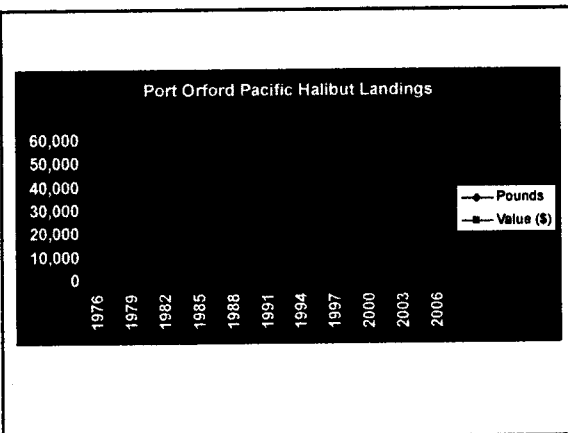
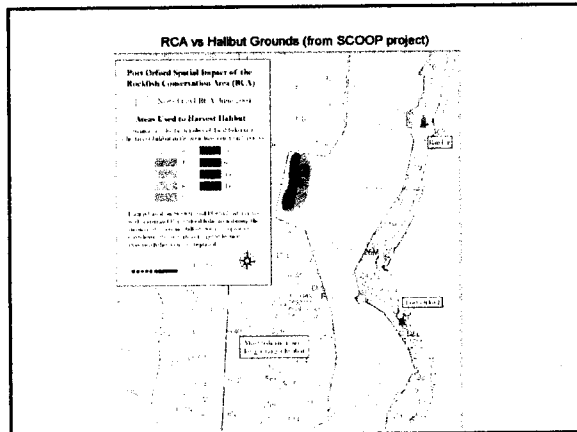
**in the directed fishery for halibut and the incidental fishery south of 43° N. lat. to the Oregon/California border are prohibited from doing so at the same time, and must provide 48 hrs written notice and phone 24 hours NMFS or its designee in advance their intent to participate in the directed halibut fishery north of 43° N. lat. and deliver south of 43° N. lat.**

## Proposed Changes to Halibut Catch Sharing Plan and 2007 Regulations

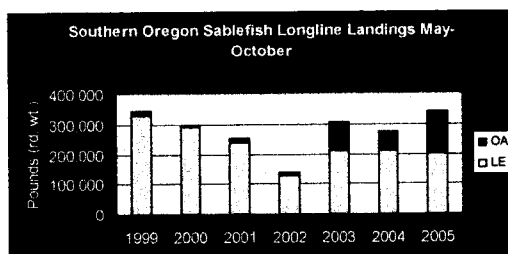
Non-Indian Commercial 2A

## Southern Oregon Fishery Issues

- ◆ Historically southern Oregon has had higher catches of halibut.
- ◆ IPHC vessel size based trip limits – affects smaller boats.
- ◆ RCAs in 2002 restrict fishing areas.
- ◆ A derby fishery which is difficult for the southern Oregon fleet to fish.
- ◆ Sablefish fishery an important component.



## Southern Oregon Longline Landings



## Additional Factors in Analysis

- ◆ Both LE and OA sectors are important to Port Orford economy.
- ◆ WCGOP halibut to sablefish catch ratio in fixed gear fishery sablefish fishery ranges from 8.4% to 23.2%.
- ◆ Bycatch of halibut likely occurs in both LE and OA sectors.
- ◆ Proposal would reduce bycatch mortality.

### Proposed Changes

- ◆ A) Reduce non-Indian commercial 2A allocation by 5%, re-allocate to the southern Oregon incidental fishery (in 2006, about 11,748 lbs).
- ◆ B) Define incidental halibut fishery area from 43° N. lat. to the OR/CA border.
- ◆ C) Add 4<sup>th</sup> option to allow participation in 2A directed fishery and incidental fishery south of 43° N. lat. to the OR/CA border.

### Proposed Changes (cont.)

- ◆ D) Limited entry and open access fleet may retain halibut in southern Oregon incidental fishery.
- ◆ E) Those electing to fish in Area 2A directed fishery must use declaration procedure (similar to Far Offshore) to land halibut south of 43° N. lat.
- ◆ F) Set retention ratio the same as for the north of Point Chehalis fishery (100 lbs per 1,000 lbs sable).
- ◆ G) May 1- October 31, or until allocation is reached.

*End of Presentation – Thank You!*



PACIFIC HALIBUT BYCATCH ESTIMATE FOR  
INTERNATIONAL PACIFIC HALIBUT COMMISSION ADOPTION

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 2005 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 2005. 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 2007 halibut fisheries (Agenda Item G.2.a, 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 Item G.2.b, Supplemental NMFS Report: Pacific Halibut Bycatch in IPHC Area 2A in 2005.

**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  
08/18/06



ENFORCEMENT CONSULTANTS REPORT ON PROPOSED CHANGES TO CATCH  
SHARING PLAN AND 2007 ANNUAL REGULATIONS

The Enforcement Consultants (EC) has reviewed the materials as they relate to Catch Sharing Plan.

We would like to address the proposal submitted by the Port Orford Ocean Resource Team.

The proposal attempts to follow the program that occurs north of Point Chehalis with one major exception, the Port Orford proposal allows participation of open access vessels. Because of this distinction, the Port Orford option does not limit participation through the requirement of a Limited Entry permit.

The area for the proposal is created by drawing a line just South of Bandon, Oregon and the Oregon/California Border. Enforcement has always made a point of discouraging lines being drawn in the ocean. This proposal creates a management area that requires enforcement to monitor restrictions in an area and the need to restrict access of other fishers. While we have area management in other fisheries, this area has fairly limited enforcement resources (2 Officers).

An additional concern is with the inclusion of open access vessels with smaller sablefish limits. This may actually become a target fishery and not a bycatch reduction program, because the same bycatch ratio North of Chehalis fishery is being used. The Port Orford Resource team does not feel this will happen. A fisherman in their group stated they have been catching about 1 halibut for every 500-600 lbs of sablefish in this area. Under the proposal based on an average size of around 20 lbs per halibut, a fisher could catch approximately 7 halibut for the first 1,000 lbs.

Finally the proposal has been very confusing to this point. If it goes out for public comment, we are not sure people will clearly understand the proposal.

PPMC  
09/15/06

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2007 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) held two public meetings (Astoria and Newport) to discuss proposed changes to the Pacific Halibut Catch Sharing Plan for 2007 sport fisheries off Oregon. Additionally, ODFW held a public meeting to discuss a proposed change by the Port Orford community to the 2007 commercial fishery for the Oregon area south of 43° N. Latitude. Public input received at the meetings and through correspondence to ODFW is summarized in this report.

### **Columbia River**

In 2006, the Columbia River season was divided into a spring and a summer season. This new summer season was afforded due to a shift in allocation from the Central Oregon Coast sport fishery; doubling the Oregon contribution to the Columbia River sport fishery, and comprising 65 percent of the total Columbia River quota. The spring season opened May 1, and continued seven days per week until May 27, when the fishery closed due to attainment of the spring quota of 14,819 lbs. The summer season opened August 4 and continued every Friday-Sunday through September 3, when the fishery closed due to attainment of the 21,170 lbs combined spring/summer quota.

Public comments regarding the 2007 Columbia River sport fishery:

1. Split the Columbia River subarea quota into two quotas, one for Washington and one for Oregon where each state's quota must be landed into that state.
2. Increase the Oregon allocation to the Columbia River subarea.
3. Combine the Columbia River Oregon fishery with the central coast Oregon fishery as one subarea (either all season or for the summer season only).

### **Central Coast Subarea**

#### **Nearshore Fishery**

In 2006, the nearshore fishery opened May 1, seven days per week, inside the 40-fathom line (*defined by waypoints*) through the earlier of the revised quota of 10,345 lbs or Oct. 31. Currently, this fishery is open, as the quota has not been attained.

#### **All-Depth Fishery**

The 2006 spring fishery was opened on May 11, and was open on 21 predetermined set and alternate days through July 8. The spring quota was 175,474 lbs and 183,690 lbs were taken. The summer season opened on August 4, and continued every other Friday through Sunday through Labor Day weekend. Beginning September 8, the fishery began operating on a weekly basis (Friday – Sunday), and the daily bag limit was increased to 2 fish. The fishery is scheduled to continue through October 29, or until the revised combined spring/summer all-depth quota of 243,965 lbs is taken.

Public comments relative to the Oregon Central Coast subarea all-depth fishery (the participants of the public meeting in Newport recommended that options 1-3 be combined as a package):

1. Increase the spring portion of the subarea allocation from 75% to 80%.
2. Structure the spring season to open Friday through Sunday, or Thursday through Sunday.
3. Move the inseason date to consider adding a second fish to the daily bag limit from the week after Labor Day to mid-August.
4. Weekly Friday through Sunday fisheries.
5. Allow trolling for salmon in the Stonewall Bank RCA with a halibut on the vessel.

### **Coastwide**

Many public comments received applied to fisheries along the entire Oregon coast:

1. Increase the Pacific halibut daily bag limit to 2 fish.
2. Reestablish the 32-inch minimum length requirement.
3. Allow lingcod harvest either just in the nearshore fishery or in both the nearshore and the all-depth fishery.
4. Allow groundfish retention in conjunction with Pacific halibut.

### **Directed Commercial Fishery**

A public meeting was held in Newport to review a proposal received from the Port Orford community to initiate an incidental retention fishery in the directed sablefish fishery for the Oregon area south of 43° N. Latitude. Meeting participants were generally supportive of the proposal, though there was concern about the level of allocation initially requested. It is our understanding that the requested allocation has been modified to address those concerns.

### **Oregon Recommendation:**

**Based on recent increased allocation to the Columbia River subarea from Oregon, ongoing status of the central coast sport fishery, meeting comments, enforcement concerns, and other public input, the ODFW proposes no change to the Catch Sharing Plan for 2007.**

WDFW SUGGESTED CATCH SHARING PLAN LANGUAGE CHANGES

Add the following language to Section (e) NON-INDIAN COMMERCIAL FISHERIES:

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

- (v) A yelloweye rockfish conservation area that is closed to salmon troll fishing is defined by the following coordinates:

48°00.00' N. lat., 125°14.00' W. long.;  
48°02.00' N. lat., 125°14.00' W. long.;  
48°00.00' N. lat., 125°16.50' W. long.;  
48°02.00' N. lat., 125°16.50' W. long.;  
48°00.00' N. lat., 125°14.00' W. long.

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

...A yelloweye rockfish conservation area that is closed to commercial groundfish limited entry fixed gear fisheries, including the primary sablefish fishery, is defined by the following coordinates:

48°11.77' N. lat., 125°13.03' W. long.;  
48°16.43' N. lat., 125°07.55' W. long.;  
48°14.72' N. lat., 125°01.84' W. long.;  
48°13.36' N. lat., 125°03.20' W. long.;  
48°12.74' N. lat., 125°05.83' W. long.;  
48°11.55' N. lat., 125°04.99' W. long.;  
48°09.96' N. lat., 125°06.63' W. long.;  
48°09.68' N. lat., 125°08.75' W. long.;  
48°11.77' N. lat., 125°13.03' W. long.

Add the following language to Section (f) SPORT FISHERIES:

(iii) Washington south coast subarea.

...A yelloweye rockfish conservation area that is closed to recreational groundfish and halibut fishing is defined by the following coordinates:

46°58.00' N. lat., 124°48.00' W. long.;  
46°55.00' N. lat., 124°48.00' W. long.;  
46°58.00' N. lat., 124°49.00' W. long.;  
46°55.00' N. lat., 124°49.00' W. long.;  
46°58.00' N. lat., 124°48.00' W. long.

Modify the language in Section (f) SPORT FISHERIES as follows:

(ii) Washington north coast subarea.

“This sport fishery subarea is allocated...until the May allocation is projected to be taken. The fishery will then reopen ~~in~~ on June 15 ~~on the first Thursday following June 17,~~ in the following areas only:

- (a) WDFW Marine Catch Area 4B, which is all waters west 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., to the Bonilla-Tatoosh line
- (b) Shoreward of a modified line approximating 30 fms from the Bonilla-Tatoosh line south to the Queets River, as defined by the following coordinates:  
48°24.79'N. lat.; 124°44.07'W. long.;  
48°24.80'N. lat.; 124°44.74'W. long.;  
48°23.94'N. lat.; 124°44.70'W. long.;  
48°23.51'N. lat.; 124°45.01'W. long.;  
48°22.59'N. lat.; 124°44.97'W. long.;  
48°21.75'N. lat.; 124°45.26'W. long.;  
48°21.23'N. lat.; 124°47.78'W. long.;  
48°20.32'N. lat.; 124°49.53'W. long.;  
48°16.72'N. lat.; 124°51.58'W. long.;  
48°10.00'N. lat.; 124°52.58'W. long.;  
48°05.63'N. lat.; 124°52.91'W. long.;  
47°56.25'N. lat.; 124°52.57'W. long.;  
47°40.28'N. lat.; 124°40.07'W. long.;  
47°31.70'N. lat.; 124°37.03'W. long.

The fishery will ~~and~~ continue ~~until the remaining quota is projected to be taken; 2~~ 3 days per week (~~Thursday and~~ Friday, Saturday, and Sunday) until June 30, or until the remaining quota is projected to be taken, whichever occurs first. If sufficient quota remains, the fishery may reopen in July, August, or September. No sport fishing for halibut is allowed after September 30....”

(iii) Washington south coast subarea.

“...The structuring objective for this subarea is to maximize season length, while maintaining a quality fishing experience. The south coast subarea quota will be allocated as follows: 95% for a primary fishery, and 5% for a nearshore fishery, once the primary fishery has closed....This primary fishery will continue until September 30, or until 95% of the quota is achieved, whichever is earlier. Subsequent to this closure, if there is insufficient quota remaining to reopen the primary fishery ~~entire subarea~~ for another fishing day, then any remaining quota may be used to accommodate incidental catch in the nearshore area from 47°25.00' N. lat. south to 46°58.00' N. lat. and east of 124°30.00' W. long. on Fridays, ~~and~~ Saturdays, and Sundays only....”

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED  
CHANGES TO CATCH SHARING PLAN AND 2007 ANNUAL REGULATIONS

The Washington Department of Fish and Wildlife (WDFW) held two recreational halibut meetings to develop and consider proposed changes to the Pacific Fishery Management Council's catch sharing plan for 2007, in Montesano, on August 3 and September 6.

Based on the public input we received, we would support the proposed changes listed in Agenda Item G.1.b, WDFW Report, and the following changes to the 2007 Pacific Halibut Catch Sharing Plan for Area 2A, section (f) SPORT FISHERIES, Subsection (1)(ii), be approved for public review. A description of how the Catch Sharing Plan language could be changed is provided in Supplemental WDFW Attachment 1.

**North Coast**

- 1. For the June fishery, implement the following changes: 1) constrain the second opening to two specific areas: a) within WDFW's marine catch area 4B; and b) shoreward of a modified line approximating 30 fms along the outer coast; 2) specify the opening date as Friday, June 15; and 3) schedule the June season for three consecutive days—Friday, Saturday, and Sunday.**

Rationale – 1) For the past few years, as the amount of effort in this fishery has increased, the number of days that the season has been open has decreased. In addition, the amount of subarea quota remaining at the end of the season has increased as it takes more quota to reopen the fishery for another fishing day. WDFW would like to explore designating a nearshore area that could reopen if sufficient quota is not available to reopen the entire offshore area (similar to what is typically done in the South Coast). However, WDFW does not have halibut catch data to estimate the amount of quota needed for a fishery only in the nearshore area. Therefore, we are proposing to collect this data by constraining the June fishery to the nearshore area. The intent is to slow the catch rate down by closing some of the more favored offshore areas, while still allowing access to halibut grounds off La Push (i.e., at the "rockpile") through a modified 30-fm line and halibut areas out of Neah Bay at the entrance to the Strait of Juan de Fuca. While these areas do offer some halibut fishing opportunity, we believe that the catch rate will be much lower than it is when the offshore fishery is open. To help enforce these area restrictions, during the days that halibut fishing is open in June, all recreational fishing would be constrained to the area shoreward of the 30-fm line and within WDFW's marine catch area 4B.

2) Because the recreational fishery would be subject to the area restrictions described above, it would be beneficial if the halibut season did not overlap with the salmon season, which typically begins around July 1 in this area. We do not know what amount of harvest will result from these area restrictions—the June quota may be taken, or the catch rate could dramatically decrease. If the latter occurs, then the halibut season (if the opening day remained as the first Thursday following June 17) could potentially extend beyond June 30, which could conflict with the salmon season.

3) One purpose of scheduling a fishery in late June is to provide a fishing opportunity after school has ended for the year; however, by opening the fishery for three consecutive days, and including a weekend, this would provide an opportunity for school-aged anglers to participate prior to the end of the school year. This would also allow us to collect information during days that have typically produced higher catches.

### **South Coast**

2. **Set aside 5% of the South Coast quota, which would be used to provide a northern nearshore fishery after the offshore fishery has closed; the nearshore fishery would reopen three days per week—Friday, Saturday, and Sunday.**

Rationale – For the past two years (2005 and 2006), the South Coast fishery has exceeded its quota during the offshore season thereby precluding the northern nearshore area from reopening. In the past, the northern nearshore area has either remained open or reopened following the offshore closure; this allows anglers to keep halibut incidentally caught while targeting bottomfish or salmon in the nearshore area. The northern nearshore area does not contain any known halibut “hot spots,” so the catch rate in this area is low. This allows us to monitor catches against fairly small amounts of remaining quota. If this provision had been in place in 2006, 5% of the South Coast quota would have been 2,698 lbs.

GROUND FISH ADVISORY SUBPANEL REPORT ON  
PROPOSED CHANGES TO THE CATCH SHARING PLAN AND 2007 ANNUAL  
REGULATIONS

The Groundfish Advisory Subpanel (GAP) considered proposed changes to the Pacific halibut catch sharing plan and 2007 regulations affecting commercial and recreational sectors of the halibut fishery.

Commercial

The GAP heard from Leesa Cobb of the Port Orford Ocean Resource Team (POORT) regarding a proposal for a halibut bycatch allowance in the sablefish longline fishery.

Recreational

The GAP considered Agenda Item G.1.b, Supplemental WDFW Report 2, and proposed regulations for the Washington North Coast and South Coast areas. The Washington Department of Fish and Wildlife proposal for the recreational halibut fishery in the North Coast area affects depths and seasons open to Pacific halibut fishing and the proposal for the South Coast area sets aside 5% of the South Coast quota to provide for a later-season nearshore fishery.

**GAP Recommendations:**

1. Commercial

The GAP recommends the Council move forward with POORT's proposal for public comment, and provide guidance for review and decision-making at the November 2006 Council meeting. The GAP believes that this proposal is a justified approach to remedy regulatory constraints experienced by the vessels involved in the Port Orford halibut/sablefish fishery.

2. Recreational

WDFW North Coast 1.

The GAP does not support this proposal. The GAP believes this proposal will move the recreational fishery into the Straits of Juan de Fuca where increased contact with yelloweye rockfish can occur. In addition, yelloweye caught in this area are outside of federal jurisdiction and therefore are not accounted in the Council's bycatch scorecard. The GAP believes any risk of increased contact with species of concern cannot be justified.

WDFW South Coast 2.

The GAP supports this proposal. The GAP finds this to be a beneficial application of quota to supplement existing fisheries.



SALMON ADVISORY SUBPANEL REPORT ON PROPOSED CHANGES TO THE  
CATCH SHARING PLAN AND 2007 ANNUAL REGULATIONS

The Salmon Advisory Subpanel (SAS) recommends the proposal by the Port Orford Ocean Research Team to allow retention of Pacific halibut in the longline sablefish fishery south of Point Chehalis be forwarded for public review.

PFMC  
09/11/06

**Pacific Halibut Bycatch in IPHC Area 2A  
in the 2005 Groundfish Trawl Fishery**

John Wallace  
Jim Hastie

NOAA Fisheries  
Northwest Fisheries Science Center  
Seattle, WA

August 2006

**ABSTRACT**

This report updates the estimates of Pacific halibut bycatch and mortality in the bottom trawl fishery through the calendar year 2005. The estimates of halibut bycatch and mortality in the bottom trawl fishery are based upon the method developed in the report for 1999 (Wallace, 2000). The current report uses halibut bycatch rates observed for the 2005 calendar year by the West Coast Groundfish Observer Program. These rates are stratified by season, depth, latitude, and amount of arrowtooth flounder catch, and then multiplied by the amount of trawl effort in each stratum determined from Oregon and Washington trawl logbooks in 2005. Estimated halibut bycatch and mortality in other gear types has not been updated for 2005. The estimate for the 2005 bottom trawl fishery is 358,000 lb net weight of total halibut bycatch mortality, of which 228,000 lb is legal-sized. The net weight is 46.0 percent higher than in 2004. As in past reports, forecast of bycatch for the current year (2006) 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 2005.

A new gear regulation in 2005 facilitated two other important changes in the management of the trawl fishery north of 40°10' N. Lat. between 2004 and 2005. For the first time, trawlers fishing shoreward of the Rockfish Conservation Area (RCA) were required to use selective flatfish gear. This gear utilizes a cutback head-rope design that is intended to reduce the bycatch of rockfish. Because bycatch of rebuilding rockfish species had constrained fishing opportunities for shelf flatfish in preceding years, near-shore trip limits for Dover sole and other flatfish were higher in 2005 than in 2004, between January and September. From October through December, no trawling was permitted shoreward of 250 fm in either year. Lower expected rockfish bycatch also allowed the fleet access to more near-shore fishing grounds in 2005. In 2004, the shoreward boundary of the RCA was set at 60 fm between March and June, and at 75 fm for the remaining five months through September. During the first two months of 2005, the shoreward RCA boundary was also set at 75 fm, but for the following five months, it was set at 100 fm. As a result, the near-shore area open to groundfish trawling encompassed a larger portion of the Pacific halibut depth distribution.

## **2005 BYCATCH ESTIMATES**

### Analysis of 2005 data from the West Coast Groundfish Observer Program

The WCGOP provided data for the complete calendar year of 2005 for this assessment. There were 2,749 bottom trawl tows between 48.667 and 40.667 degrees N. latitude included in this study (Figure 1). An estimated total weight of 221,609 lb of halibut was caught in those tows. Seventy one percent of these weights are 'actual weights' from the entire catch, i.e. not estimated or extrapolated. 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 55 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.

For all of the Limited-Entry groundfish trawl activity, 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 lb/hour and >20 lb/hour). 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 2.

### Bottom Trawl Effort from Logbooks

Logbook data for Oregon and Washington in 2005 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 using fish tickets on a port and month basis. This approach was used 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 stratified, 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 2005 is reported in Table 2.

Halibut bycatch in each stratum was estimated by multiplying total (expanded) stratum effort by the stratum halibut bycatch rate. Bycatch by the bottom trawl fleet is estimated by summing across strata. If there was effort within a stratum, but no observer tows, the coast-wide average bycatch rate (10.947 kg per hour) was used. This value is calculated as the unweighted average of the stratum means.

### Results

As in earlier years, half of the released halibut are assumed to survive capture (Gregg Williams, IPHC, personal communication). Therefore, discard mortality of halibut is assumed to be 50 percent of total discard. The proportion of legal-sized halibut (> 81cm) is estimated from the length frequencies of halibut measured in the observer data (Table 1). 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 2). The average proportion legal (61.59% by weight, calculated as the unweighted average of the stratum means) was used when no other estimate was available.

For comparison purposes, 2005 totals are shown together with annual totals since 1998 in Table 3. All estimates from 2002 forward incorporate observation data collected by the WCGOP. Total estimated discard mortality of halibut rose by 46% between 2004 and 2005, despite an increase in overall trawl effort of only 5 percent. However, with higher near-shore trip limits and a larger near-shore area open to fishing, trawl effort in depths less than 150 fm,

where halibut bycatch rates are generally higher, increased by 46% (Table 4). And although the estimated mortality of halibut increased from 6.5 to 9.1 lb/hour, the 2005 rate remains less than any annual average from 1998 to 2002. Estimated mortalities of 'all' and of 'legal-sized' halibut since 1977 are listed in Tables 5 and 6, respectively. The percentage of discard comprised by legal-sized fish is the second lowest, eclipsed only by the low seen in 2002. Nearly 58 percent of the estimated discard of legal-sized fish occurred in eight of the 64 strata used in the analysis, i.e. both arrowtooth and all depth strata for the January-August time period in the area between 47.67° and 48.67° N. latitude. In 2004, the same eight strata had 75% of the estimated discard of legal-sized fish.

It is not possible to make a forecast for the 2006 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. Length frequencies 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	1	0.03
40-45	3	0.09
45-50	1	0.03
50-55	29	0.91
55-60	140	4.39
60-65	334	10.48
65-70	488	15.31
70-75	598	18.76
75-80	519	16.28
80-85	326	10.23
85-90	222	6.97
90-95	182	5.71
95-100	95	2.98
100-105	95	2.98
105-110	58	1.82
110-115	27	0.85
115-120	22	0.69
120-125	19	0.60
125-130	7	0.22
130-135	8	0.25
135-140	3	0.09
140-145	3	0.09
145-150	4	0.13
150-155	2	0.06
155-160	0	0.00
160-165	1	0.03
165-170	0	0.00
170-175	0	0.00
175-180	0	0.00
180-185	0	0.00
Total	3187	100.00

Table 2. 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 2004, are for comparison purposes. (The upper limits are inclusive for all intervals; the lower limits are not.)

**SEASON: JANUARY - AUGUST**

Arrowtooth Catch (lb/h)	Latitude	Depth (Fathoms)	Number of Observed Tows	Number of Tows with $\geq 1$ Halibut	Wgt. (kg., rnd) Halibut per Hour	Trawl Effort (hours) from OR & WA	Proportion Legal by Weight	Number of Observed Tows 2004	Wgt. (kg., rnd) Halibut per Hour 2004
$\leq 20$	40.667 - 42.667	0 - 75	0	0		129		1	17.86
		75 - 150	0	0		27		0	
		150 - 250	2	0	0.00	232		16	0.00
		250 - 700	17	1	0.07	738	0.250	43	0.00
	42.667 - 46.667	0 - 75	316	143	5.83	4084	0.876	523	1.78
		75 - 150	95	35	5.59	1186	0.877	19	1.51
		150 - 250	65	24	2.70	1471	0.702	84	2.11
		250 - 700	152	12	0.27	3087	0.778	191	0.07
	46.667 - 47.667	0 - 75	294	162	5.35	1914	0.628	245	4.47
		75 - 150	21	18	37.24	98	0.593	3	2.69
		150 - 250	26	17	6.04	403	0.852	11	0.38
		250 - 700	31	7	1.95	621	0.521	18	0.00
	47.667 - 48.667	0 - 75	157	124	71.00	1702	0.539	266	30.66
		75 - 150	197	107	48.45	1203	0.588	23	46.25
		150 - 250	36	14	40.18	590	0.415	18	6.78
		250 - 700	22	1	0.07	694	0.687	19	1.07
$> 20$	40.667 - 42.667	0 - 75	0	0		0		0	
		75 - 150	0	0		1		0	
		150 - 250	9	5	5.56	202		4	1.43
		250 - 700	6	0	0.00	189	0.476	2	0.00
	42.667 - 46.667	0 - 75	152	95	6.71	1925	0.842	71	2.04
		75 - 150	119	78	24.04	927	0.703	4	0.40
		150 - 250	211	118	4.90	3142	0.759	245	4.24
		250 - 700	126	29	2.40	1867	0.634	115	1.67
	46.667 - 47.667	0 - 75	52	40	8.61	602	0.365	48	6.97
		75 - 150	11	5	16.67	106		12	18.16
		150 - 250	30	18	4.14	308	0.803	57	7.68
		250 - 700	16	8	6.74	223	0.439	8	1.57
	47.667 - 48.667	0 - 75	79	64	46.04	710	1.000	123	53.55
		75 - 150	97	68	23.49	798	0.819	25	106.81
		150 - 250	23	11	7.99	503	0.000	123	40.50
		250 - 700	23	11	15.61	308	0.495	19	94.85

Table 2. Continued.

**SEASON: SEPTEMBER - DECEMBER**

Arrowtooth Catch (lb/h)	Latitude	Depth (Fathoms)	Number of Observed Tows	Number of Tows with $\geq 1$ Halibut	Wgt. (kg., rnd) Halibut per Hour	Trawl Effort (hours) from OR & WA	Proportion Legal by Weight	Number of Observed Tows 2004	Wgt. (kg., rnd) Halibut per Hour 2004
$\leq 20$	40.667 - 42.667	0 - 75	0	0		14		0	
		75 - 150	0	0		1		0	
		150 - 250	0	0		36		2	5.62
		250 - 700	30	1	0.02	734	1.000	7	0.00
	42.667 - 46.667	0 - 75	16	7	5.06	945	0.255	72	0.55
		75 - 150	8	1	0.50	509	0.195	0	
		150 - 250	12	5	23.79	248	0.594	22	5.14
		250 - 700	57	2	0.10	1823	0.731	170	0.25
	46.667 - 47.667	0 - 75	27	6	2.06	197	0.000	2	0.00
		75 - 150	1	1	2.91	11		0	
		150 - 250	1	0	0.00	14		1	0.00
		250 - 700	9	0	0.00	280	0.409	34	0.24
	47.667 - 48.667	0 - 75	14	14	64.18	243		12	5.73
		75 - 150	7	4	3.42	176		1	2.32
		150 - 250	1	1	14.70	14		1	4.31
		250 - 700	23	6	2.40	305	0.587	20	0.52
$> 20$	40.667 - 42.667	0 - 75	0	0		0		0	
		75 - 150	0	0		0		0	
		150 - 250	1	1	2.66	36		3	0.00
		250 - 700	5	0	0.00	111	1.000	1	0.00
	42.667 - 46.667	0 - 75	24	12	2.41	825		37	0.42
		75 - 150	52	31	8.83	626	0.246	0	
		150 - 250	22	14	8.50	557		78	6.96
		250 - 700	22	6	1.92	1003	0.879	44	0.90
	46.667 - 47.667	0 - 75	0	0		58		0	
		75 - 150	0	0		11		0	
		150 - 250	3	1	0.53	84	0.641	12	4.87
		250 - 700	2	0	0.00	18	0.840	3	0.00
	47.667 - 48.667	0 - 75	11	9	12.75	137	1.000	1	12.85
		75 - 150	13	7	9.43	260		2	0.00
		150 - 250	0	0		8		15	18.87
		250 - 700	3	3	5.44	100		7	3.29



Table 3. Halibut bycatch and mortality in the Oregon and Washington bottom trawl fisheries for groundfish off the west coast. Estimates from 2002 forward are based on observations by the West Coast Groundfish Observer Program. 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 (lb, net)	Estimated Total Halibut Mortality (lb, net)	Est. Mortality (lb) per Trawl Hour	Estimated Legal-Sized Halibut Mortality (lb, net)	Estimated Legal-Sized divided by Total Halibut Mortality
1998	92,294	164,961	1,259,374	2,082,690	1,041,345	11.3	691,755	0.6643
1999	81,420	147,995	1,144,236	1,892,280	946,140	11.6	638,091	0.6744
2000	70,363	122,234	944,120	1,561,338	780,669	11.1	523,097	0.6701
2001	67,199	124,969	962,348	1,591,482	795,741	11.8	532,912	0.6697
2002	52,168	NA	618,913	1,023,527	511,764	9.8	286,221	0.5593
2003	58,339	NA	558,544	923,693	461,847	7.9	366,745	0.7941
2004	37,495	NA	296,225	489,882	244,941	6.5	171,754	0.7012
2005	39,377	NA	432,806	715,752	357,876	9.1	228,049	0.6372

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 4. Trawl effort (hours) in the 2004 and 2005 bottom trawl fisheries off Oregon and Washington

Arrowtooth Catch (lb/h)	Latitude	Depth (fathoms)	Trawl effort (hours)		% change from 2004 to 2005
			2004	2005	
≤ 20	40.667 - 42.667	0 - 150	282	171	-39%
		150 - 700	1,969	1,740	-12%
	42.667 - 46.667	0 - 150	4,370	6,724	54%
		150 - 700	9,281	6,629	-29%
	46.667 - 47.667	0 - 150	2,856	2,220	-22%
		150 - 700	1,494	1,318	-12%
	47.667 - 48.667	0 - 150	2,856	3,324	16%
		150 - 700	1,473	1,603	9%
	Total	0 - 150	10,364	12,439	20%
		150 - 700	14,216	11,292	-21%
		All depths	24,579	23,733	-3%
> 20	40.667 - 42.667	0 - 150	18	1	-93%
		150 - 700	175	538	206%
	42.667 - 46.667	0 - 150	1,081	4,303	298%
		150 - 700	6,842	6,569	-4%
	46.667 - 47.667	0 - 150	620	777	25%
		150 - 700	928	633	-32%
	47.667 - 48.667	0 - 150	1,261	1,905	51%
		150 - 700	1,992	919	-54%
	Total	0 - 150	2,980	6,986	134%
		150 - 700	9,937	8,659	-13%
		All depths	12,917	15,644	21%
Total	Total	0 - 150	13,343	19,425	46%
		150 - 700	24,152	19,950	-17%
		All depths	37,495	39,377	5%

Table 5. 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 3 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	---	---	---
2005	---	358	---	---	---

**Note:** Bycatch mortality by groundfish trawls in 1998-2004 does not include fisheries off California. Bycatch mortality by shrimp trawls in 1998 does not include fisheries off California and Washington.

Table 6. Summary of estimated mortality of legal-sized Pacific halibut, in thousands of pounds, net weight, by fishery in Area 2A. The bycatch mortality estimate for legal-sized halibut for 2005 is from this report. (Sums across fisheries may not 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	---	---	---
2005	---	228	---	---	---

Note: Bycatch mortality by groundfish trawls in 1998-2004 does not include fisheries off California. Bycatch mortality by shrimp trawls in 1998 does not include fisheries off California and Washington.

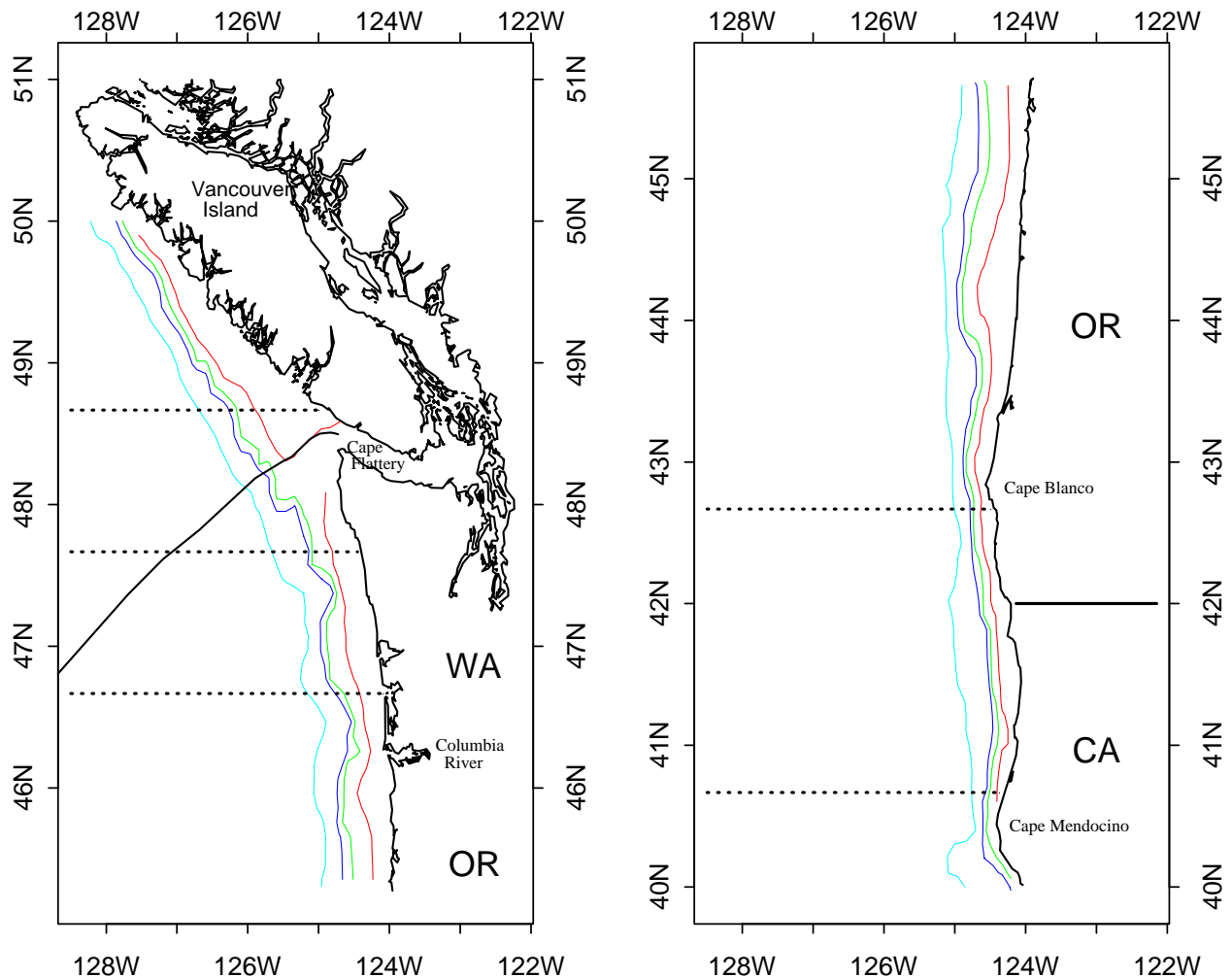


Figure 1. A map of IPHC area 2A with the latitudinal strata demarcated by dotted lines. In the most northerly strata only the area east of the EEZ line is covered by this report. The bathymetry strata splits (75, 150, 250, 700 fathoms) are shown off the coast.

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON PACIFIC HALIBUT  
BYCATCH ESTIMATE FOR INTERNATIONAL PACIFIC HALIBUT COMMISSION  
ADOPTION

Dr. Jim Hastie (NWFSC) briefed the Scientific and Statistical Committee (SSC) on estimates of halibut bycatch for 2005 as described in the report by Wallace and Hastie (August 2006). Estimated total halibut discard mortality increased by 46% from 2004 to 2005. The increase may be an unintended consequence of liberalized trip limits and expanded fishing opportunities shoreward of the Rockfish Conservation Area (RCA) that were made possible in 2005 by mandatory use of selective flatfish gear. Although total trawl effort increased by only 5%, trawl effort inside 150 fm increased by almost 50%. The SSC endorses the use of the report's bycatch estimates in evaluating the impact of Council-managed fisheries on the Pacific halibut stock.

Halibut bycatch varies by season, depth, latitude, and the proportion of arrowtooth flounder in the catch. Halibut bycatch rates were estimated by strata defined by these factors. Further analyses should be based on strata definitions that also reflect prevailing spatial management measures. For example, seasonal changes in the shoreward limit of the RCA would provide a basis for corresponding seasonal strata for bycatch estimation. The SSC again requests that 1) variance estimates of total bycatch be provided, and 2) observer data for other Council-managed fisheries be evaluated. In particular, halibut bycatch estimates for the fixed gear fleet should be considered.

The SSC has reviewed the Pacific halibut bycatch report each year now for several years. If estimation methods continue to be routine, additional review by the SSC may not be needed.

PPMC  
09/13/06