

PROPOSED CHANGES TO THE CATCH SHARING PLAN
AND ANNUAL REGULATIONS

Under its standard process, the Council solicits proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan (CSP) at its September meeting and adopts any changes in November after reviewing public and agency comments. Generally, changes are limited to adjustments in the annual regulations and minor modifications to the CSP. Attachment 1 is a draft copy of the CSP with the changes proposed at the September 2007 Council meeting.

For the 2008 season, the Council is considering changes to the management of recreational fisheries in Washington. The proposed changes resulted from recommendations provided by the Washington Department of Fish and Wildlife (WDFW), after holding public meetings, and from Council discussion and public testimony received at the September 2007 Council meeting.

The Council solicited public input on the changes on its website and in the Council Newsletter article from October 2007 (Attachment 2). An additional public hearing was also held by WDFW to solicit input on the September proposals. Following that hearing, WDFW prepared its recommendations for regulatory changes in 2008 (Agenda Item E.1.b, WDFW Report).

The National Marine Fisheries Service (NMFS) has proposed some housekeeping changes to the CSP (Agenda Item E.1.b, NMFS Report 1), and with input from the states and tribes, has also prepared a catch update for the 2007 Area 2A halibut fisheries (Agenda Item E.1.b, NMFS Report 2).

Based on the input received since the September 2007 Council meeting, the states, NMFS, and tribes will present their final proposals for regulatory changes in the halibut fishery at this meeting.

Council Action:

Within the scope of the September 2007 proposals (Attachment 2) and public input, adopt Council recommendations for implementing proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan and annual regulations for 2008.

Reference Materials:

1. Agenda Item E.1.a, Attachment 1: Draft Proposed 2008 Pacific Halibut Catch Sharing Plan For Area 2A.
2. Agenda Item E.1.a, Attachment 2: Council Newsletter Article on Proposed Changes to the Area 2A Pacific Halibut Catch Sharing Plan.
3. Agenda Item E.1.b, NMFS Report 1: NMFS Proposed Changes to the 2008 Pacific Halibut Catch Sharing Plan for Area 2A.
4. Agenda Item E.1.b, NMFS Report 2: Report on the 2007 Pacific Halibut Fisheries in Area 2A.
5. Agenda Item E.1.b, WDFW Report: Proposed Changes to the CSP and 2008 Annual Regulations.

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 Final Proposed Changes for 2008

Chuck Tracy

PFMC
10/18/07

DRAFT PROPOSED (10/11/07)
2008 PACIFIC HALIBUT CATCH SHARING PLAN FOR AREA 2A
(*Note: Changes proposed in Agenda Item H.1.b, WDFW Report, September 2007, have been incorporated into this draft*)

(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~~Thirty-five percent of the Area 2A TAC is allocated to 12 treaty Indian tribes in subarea 2A-1, which includes that portion of Area 2A north of Point Chehalis, WA (46°53.30' 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 remainder of the 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 until the end of the season date for commercial halibut fishing determined by the IPHC and implemented in IPHC regulation. 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. Halibut retention in the salmon troll fishery will be allowed after June only if the 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.
- (v) Under the Pacific Coast groundfish regulations at 50 CFR 660.383, fishing with salmon troll gear is prohibited within the Salmon Troll Yelloweye Rockfish Conservation Area (YRCA). The Salmon Troll YRCA is an area

off the northern Washington coast and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the Salmon Troll YRCA are specified in groundfish regulations at 50 CFR 660.390 and in salmon regulations at 50 CFR 660.405.

(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 published in the *Federal Register* and specifically defined at 50 CFR 300.63(e). 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*.

Under Pacific Coast groundfish regulations at 50 CFR 660.382, fishing with limited entry fixed gear is prohibited within the North Coast Commercial Yelloweye Rockfish Conservation Area (YRCA) and the Non-Trawl Rockfish Conservation Area (RCA). The North Coast Commercial Yelloweye Rockfish Conservation Area YRCA is an area off the northern Washington coast, overlapping the northern part of North Coast Recreational YRCA. The Non-Trawl RCA is an area off the Washington coast. These closed areas are defined by straight lines connecting latitude and longitude coordinates. Coordinates for the North Coast Commercial YRCA are specified in groundfish regulations at 50 CFR 660.390. Coordinates for the Non-Trawl RCA are specified in groundfish regulations at 50 CFR 660.393.

(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~~six geographic subareas.

(1) Subarea management. The sport fishery is divided into ~~seven~~six 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 for two days on the first Tuesday and Thursday following June 16, in the following nearshore areas only:

- A. WDFW Marine Catch Area 4B, which is all waters west of the Sekiu River mouth, 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, as defined by a line connecting the light on Tatoosh Island, WA, with the light on Bonilla Point on Vancouver Island, British Columbia (at 48°35.73' N. lat., 124°43.00' W. long.) south of the International Boundary between the U.S. and Canada (at 48°29.62' N. lat., 124°43.55' W. long.), and north of the point where that line intersects with the boundary of the U.S. territorial sea.
- B. Shoreward of the recreational halibut 30-fm boundary line, a modified line approximating the 30 fm depth contour from the Bonilla-Tatoosh line south to the Queets River. Coordinates for the closed area will be

specifically defined annually in federal halibut regulations published in the *Federal Register*.

If there is sufficient quota, the fishery will reopen for one day on the first Saturday following June ~~17-16~~ in the entire north coast subarea. If sufficient quota remains, the fishery would reopen, as a first priority, in the entire north coast subarea for one day ~~on the first Thursday~~ following June 24. If there is insufficient quota remaining to reopen the entire north coast subarea for another day, then the nearshore areas described above would reopen ~~on the first Thursday~~ following June 24, up to four days per week (Thursday-Sunday), until the remaining subarea quota is projected to be taken. 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 the nearshore areas 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.

Recreational fishing for groundfish and halibut is prohibited within the North Coast Recreational Yelloweye Rockfish Conservation Area (YRCA). The North Coast Recreational YRCA is a C-shaped area off the northern Washington coast and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the North Coast Recreational YRCA are specified in groundfish regulations at 50 CFR 660.390 and will be specifically defined annually in federal halibut regulations published in the *Federal Register*.

(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 south coast subarea quota will be allocated as follows: 95% (or 90% or 85%) for the primary fishery, and 5% (or 10% or 15%) for the nearshore fishery, once the primary fishery has closed. In 2008, the fishery will open on May 1. If May 1 falls on a Friday or Saturday Beginning in 2009, the fishery will open on May 1, if it is a Sunday; otherwise, the fishery will open on the first Sunday the following Sunday May 1. The primary fishery will be open two days per week, Sunday through Thursday and Monday, in all areas, except where prohibited, and the nearshore fishery will be open 7-four days per week, Friday through Monday, 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 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 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, until the remaining quota is projected to be taken. If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen the nearshore areas for another fishing day, then any remaining quota may be transferred inseason to another Washington coastal subarea by NMFS via an update to the recreational halibut hotline. The daily bag limit is one halibut per person, with no size limit.

Recreational fishing for groundfish and halibut is prohibited within the South Coast Recreational YRCA. The South Coast Recreational YRCA is an area off the southern Washington coast and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the South Coast Recreational YRCA are specified in groundfish regulations at 50 CFR 660.390 and will be specifically defined annually in federal halibut regulations published in the *Federal Register*.

(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.

Recreational fishing for groundfish and halibut is prohibited within the Stonewall Bank YRCA. The Stonewall Bank YRCA is an area off central Oregon, near Stonewall Bank, and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the Stonewall Bank YRCA are specified in groundfish regulations at 50 CFR 660.390 and will be specifically defined annually in federal halibut regulations published in the *Federal Register*.

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 pre-season 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 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. The sport possession limit on land in California and on the vessel is one daily bag limit, regardless of condition.
- (4) Ban on sport vessels in the commercial fishery. Vessels operating in the sport fishery for halibut in Area 2A are prohibited from operating in the commercial halibut fishery in Area 2A. Sport fishers and charterboat operators must determine, prior to May 1 of each year, whether they will operate in the commercial halibut fisheries in Area 2A which requires a commercial fishing license from the IPHC. Sport fishing for halibut in Area 2A is prohibited from a vessel licensed to fish commercially for halibut in Area 2A.
- (5) Flexible inseason management provisions.
 - (i) The Regional Administrator, NMFS Northwest Region, after consultation with the Chairman of the Pacific Fishery Management Council, the IPHC Executive Director, and the Fisheries Director(s) of the affected state(s), or their designees, is authorized to modify regulations during the season after making the following determinations.
 - (A) The action is necessary to allow allocation objectives to be met.
 - (B) The action will not result in exceeding the catch limit for the area.

- (C) If any of the sport fishery subareas north of Cape Falcon, OR are not projected to utilize their respective quotas by September 30, NMFS may take inseason action to transfer any projected unused quota to another Washington sport subarea.
 - (D) If any of the sport fishery subareas south of Leadbetter Point, WA are not projected to utilize their respective quotas by their season ending dates, NMFS may take inseason action to transfer any projected unused quota to another Oregon sport subarea.
- (ii) Flexible inseason management provisions include, but are not limited to, the following:
- (A) Modification of sport fishing periods;
 - (B) Modification of sport fishing bag limits;
 - (C) Modification of sport fishing size limits;
 - (D) Modification of sport fishing days per calendar week; and
 - (E) Modification of subarea quotas ~~north of Cape Falcon, OR.~~
- (iii) Notice procedures.
- (A) Inseason actions taken by NMFS will be published in the *Federal Register*.
 - (B) Actual notice of inseason management actions will be provided by a telephone hotline administered by the Northwest Region, NMFS, at 206-526-6667 or 800-662-9825 (May through October) and by U.S. Coast Guard broadcasts. These broadcasts are announced on Channel 16 VHF-FM and 2182 kHz at frequent intervals. The announcements designate the channel or frequency over which the notice to mariners will be immediately broadcast. Since provisions of these regulations may be altered by inseason actions, sport fishermen should monitor either the telephone hotline or U.S. Coast Guard broadcasts for current information for the area in which they are fishing.
- (iv) Effective dates.
- (A) Inseason actions will be effective on the date specified in the Federal Register notice or at the time that the action is filed for public inspection with the Office of the Federal Register, whichever is later.

- (B) If time allows, NMFS will invite public comment prior to the effective date of any inseason action filed with the *Federal Register*. If the Regional Administrator determines, for good cause, that an inseason action must be filed without affording a prior opportunity for public comment, public comments will be received for a period of 15 days after of the action in the *Federal Register*.
- (C) Inseason actions will remain in effect until the stated expiration date or until rescinded, modified, or superseded. However, no inseason action has any effect beyond the end of the calendar year in which it is issued.
- (v) Availability of data. The Regional Administrator will compile, in aggregate form, all data and other information relevant to the action being taken and will make them available for public review during normal office hours at the Northwest Regional Office, NMFS, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA.

(6) Sport fishery closure provisions.

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

(g) PROCEDURES FOR IMPLEMENTATION

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

Sources: [73 FR ##### \(March ##, 2008\)](#)
[72 FR 11792 \(March 14, 2007\)](#)
[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)

Draft

COUNCIL NEWSLETTER ARTICLE ON PROPOSED CHANGES TO THE
AREA 2A PACIFIC HALIBUT CATCH SHARING PLAN

Proposed Changes to Catch Sharing Plan and 2008 Annual Regulations

At its September 2007 meeting, the Council adopted several proposed changes to the Area 2A Pacific halibut catch sharing plan for public review. The proposals affect Washington sport fisheries. Final adoption of the proposed changes will take place at the Council's November 2007 meeting in San Diego. Comments on the proposals should be received by October 17, 2007, and can be emailed to pfmc.comments@noaa.gov, faxed (503-820-2299), or mailed to the Council office (7700 NE Ambassador Place, Ste 101, Portland, Oregon, 97220-1384). Comments will also be taken at the Council meeting in San Diego. Additional detail on the substance and rationale for the following proposals is available on the following web site: WDFW: www.wdfw.wa.gov/fish/creel/halibut/.

Proposals include:

Washington North Coast Subarea

For the June fishery: a) revise the opening date to the first Tuesday following June 16; b) specify that the Saturday offshore opener is contingent upon available quota; and c) provide flexibility in the date that the late June fishery reopens.

South Coast Subarea

1. For the primary season: a) in 2008, retain the opening date of May 1. Beginning in 2009, open the fishery on May 1, if it is a Sunday; otherwise, open on the first Sunday following May 1; and b) specify that the fishery will be open two days per week—Sunday and Monday.
2. For the nearshore fishery: a) revise the set aside to 10 percent or 15 percent of the South Coast quota, which would be used to provide a northern nearshore fishery after the offshore fishery has closed; and b) specify that the nearshore-only fishery would be open on Fridays and Saturdays, even during the primary season.

**NMFS PROPOSED CHANGES TO THE
2008 PACIFIC HALIBUT CATCH SHARING PLAN FOR AREA 2A**

*[NOTE: This Agenda Item remains unchanged from
Agenda Item H.1.b , Supplemental NMFS Report, September 2007]*

NMFS is proposing a few editorial changes to the 2008 Pacific halibut Catch Sharing Plan (CSP) to clean up some outdated language. The proposed changes are as follows:

- 1) In section (b) Allocations, delete paragraph (b)(2) referring to the 25,000 lb tribal allocation resulting from the U.S. v. Washington case (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). This paragraph required 25,000 lb dressed weight of halibut to be transferred from the non-treaty Area 2A halibut allocation to the treaty allocation in Area 2A-1 each year for eight years from 2000-2007, for a total transfer of 200,000 lb. Because this total transfer of 200,000 pounds is complete, this language is no longer necessary in the CSP. In addition, language referring to paragraph (b)(2) is deleted from paragraphs (b)(1) and (d) of the CSP.
- 2) In section (f) and in paragraph (f)(1), the number of sport subareas is revised from seven to six. In 2004, the Oregon Central Coast, previously two subareas- North Central and South Central, joined into one Central Coast subarea. Since 2004, there have been six sport subareas instead of seven.
- 3) In section (f)(5)(ii)(E) of the CSP and in 50 CFR 300.63 (c)(2)(v) of the regulations, flexible inseason management for sport fisheries, the phrase “north of Cape Falcon, OR” is removed from the phrase so that it reads, “modification of subarea quotas.” As mentioned in the paragraph (f)(5)(i)(C) and (D), unused quota can be moved inseason both north of Cape Falcon, OR, and south of Leadbetter Point, WA, to modify quota in Area 2A sport fisheries.

REPORT ON THE 2007 PACIFIC HALIBUT FISHERIES IN AREA 2A

(10/17/07)

The 2007 Area 2A total allowable catch (TAC) of 1,340,000 lb set by the International Pacific Halibut Commission (IPHC) was allocated as sub-TACs as follows:

Treaty Tribes	494,000 lb (35% + 25,000 lb)
Non-Tribal Total	846,000 lb (65% - 25,000 lb)
Non-Tribal Commercial	338,182 lb (includes incidental sablefish)
Washington Sport	239,636 lb
Oregon/California Sport	268,182 lb

All weights in this report are net weight (gutted, head-off, and without ice and slime.) The structure of each fishery and the resulting harvests are described below.

NON-TRIBAL COMMERCIAL FISHERIES

A sub-TAC of 338,182 lb (31.7% of the non-tribal share + 70,000 lb for the incidental sablefish fishery) was allocated to two fishery components: 1) a directed longline fishery targeting on halibut south of Point Chehalis, WA; and 2) an incidental catch fishery during the salmon troll fisheries off Washington, Oregon, and California. An additional 70,000 lb was allocated to an incidental catch fishery for limited entry, sablefish-endorsed vessels operating with longline gear north of Pt. Chehalis, WA. This allowance for the tiered sablefish fishery is only available in years when the overall Area 2A TAC exceeds 900,000 lb.

Incidental halibut catch in the salmon troll fishery A quota of 40,227 lb (15% of the non-Indian commercial fishery allocation) was allocated to the salmon troll fishery in Area 2A as an incidental catch during Chinook fisheries. According to the Catch Sharing Plan, the primary management objective for this fishery is to harvest the troll quota as an incidental catch during the May/June salmon troll fishery. If any of the allocation for this fishery remains after June 30, the fishery may continue to retain incidentally caught halibut in the salmon troll fisheries until the quota is taken. The final catch ratio established preseason by the Council at the April meeting was one halibut (minimum 32") per three Chinook landed by a salmon troller, except that one halibut could be landed without meeting the ratio requirement, and no more than 35 halibut could be landed per trip. Fishing with salmon troll gear is prohibited within the Salmon Troll Yelloweye Rockfish Conservation Area (YRCA) off the northern Washington Coast. Additionally, the "C-shaped" North Coast Recreational YRCA off Washington is designated as an area to be avoided (a voluntary closure) by salmon trollers.

- Halibut retention was permitted in the salmon troll fisheries beginning May 1. The quota for this fishery was revised to add the 3,440 lb remaining after the closure of the directed commercial fishery in August, for a revised quota of 43,667 lb. Of the halibut taken in the salmon troll fisheries through October 9, 8,588 lb were landed in Oregon and 15,538 lb were landed in Washington for a total of 24,126 lb.

Directed fishery targeting on halibut A quota of 227,955 lb (85% of the non-tribal commercial fishery allocation) was allocated to the directed longline fishery targeting on halibut in southern Washington, Oregon, and California. The fishery was confined to the area south of Subarea 2A-1 (south of Point Chehalis, WA; 46°53.30' N. lat.). In addition, between 46°53.30' N. lat. and 46°16' N. lat., the fishery was confined to an area seaward of a boundary line approximating the 100-fm depth contour and, between 46°16' N. lat. and 40°10' N. lat., to an area shoreward of a boundary line approximating the 30-fm depth contour and seaward of a boundary line approximating the 100-fm depth contour. One-day fishing periods of 10 hours in duration were scheduled by the IPHC for June 27, July 11, July 25, August 8, August 22, September 5, and September 19. A 32" minimum size limit with the head on was in effect for all openings. Vessel landing limits per fishing period based on vessel length were imposed by IPHC during all openings as shown in the following table. Vessels choosing to operate in this fishery could not land halibut in the incidental catch salmon troll fishery, nor operate in the recreational fishery.

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

Vessel Class/Size	6/27 & 7/11 Opening	7/25 Opening	8/08 Opening
A 0 - 25 ft.	755 lb	380 lb	250 lb
B 26 - 30 ft.	945 lb	475 lb	315 lb
C 31 - 35 ft.	1,510 lb	755 lb	505 lb
D 36 - 40 ft.	4,165 lb	2,085 lb	1,390 lb
E 41 - 45 ft.	4,480 lb	2,240 lb	1,495 lb
F 46 - 50 ft.	5,365 lb	2,680 lb	1,790 lb
G 51 - 55 ft.	5,985 lb	2,995 lb	1,995 lb
H 56+ ft.	9,000 lb	4,500 lb	3,000 lb

- The June 27 directed commercial fishery resulted in a catch of about 99,000 lb, leaving 128,918 lb for later openings.
- The July 11 directed commercial fishery resulted in a catch of 65,235 lb, leaving 63,608 lb for later openings.
- The July 25 directed commercial fishery resulted in a catch of 21,230 lb, leaving 42,378 lb for later openings.
- The August 8 directed commercial fishery resulted in a catch of about 38,938 lb, leaving 3,440 lb. The directed fishery closed and the remaining 3,440 lb was made available to the incidental halibut fishery during the salmon troll season.

Incidental halibut catch in the primary sablefish longline fishery north of Point Chehalis

A quota of 70,000 lb was allocated to the limited entry primary sablefish fishery in Area 2A as an incidental catch during longline sablefish operations north of Point Chehalis, WA. The primary sablefish season is from April 1 to October 31, although incidental halibut retention was not available until May 1. Properly licensed vessels were permitted to retain up to 100 lb of dressed weight (headed-and gutted) halibut per 1,000 lb of dressed weight sablefish, plus up to two additional halibut per fishing trip. The fishery is confined to an area seaward of a boundary line approximating the 100-fm depth contour. Fishing is also prohibited in the North Coast Commercial YRCA, an area off the northern Washington coast. In addition, the "C-shaped" North Coast Recreational YRCA off Washington is designated as an area to be avoided (a voluntary closure) by commercial longline sablefish fishermen.

- Through October 12, this fishery is estimated to have taken 39,367 lb.

SPORT FISHERIES (Non-tribal).

A sub-TAC of 507,818 lb (68.3% of non-tribal share – 70,000 lb for the incidental sablefish fishery) was allocated between sport fisheries in the Washington area (47.2%) and Oregon/California (52.8%). The allocations were further subdivided as quotas among six geographic subareas as described below.

Washington Inside Waters Subarea (Puget Sound and Straits of Juan de Fuca). This area was allocated 65,562 lb (27.4% of the Washington sport allocation). Due to inability to monitor the catch in this area inseason, a fixed season was established preseason based on projected catch per day and number of days to achieve the sub-quota. The Eastern Region (East of Low Point) opened on April 9 and continued through June 16, 5 days per week (Thursday-Monday). The Western Region opened on May 24 and continued through August 3, 5 days per week (Thursday-Monday). The daily bag limit was one halibut of any size per person.

- Landings data from this fishery are not yet available.

Northern Washington Coastal Waters Subarea (landings in Neah Bay and La Push). The coastal area off Cape Flattery to Queets River was allocated 116,199 lb (48.5% of the Washington sport allocation). The fishery was divided into two seasons with 32,536 lb set aside for the second season. The fishery was to open May 15 and continue 3 days per week (Tuesday, Thursday, and Saturday) until 83,663 lb were estimated to have been taken. The second season was to open on June 19 and 21 in the nearshore area only and on June 23 in all waters. If insufficient quota remains to reopen the entire north coast subarea on June 28, then the nearshore area would reopen on June 28, up to four days per week (Thursday-Sunday), until the overall quota of 116,199 lb are estimated to have been taken, or until September 30, whichever is earlier. The "C-shaped" North Coast Recreational YRCA, southwest of Cape Flattery, was closed to sport halibut fishing. The daily bag limit was one halibut of any size per person.

- The fishery opened May 15 and continued 3 days a week, through May 31, when 66,430 lb were estimated to have been taken. The remaining quota for the May season, 17,233 lb, was not enough to continue the 3 day per week fishery; this remaining quota was

transferred to the June season.

- The initial June season quota of 32,536 lb was revised to 49,769 lb. The season reopened on June 19 and 21 in nearshore waters and June 23 in the entire subarea, during which days 20,977 lb were taken. Because there was enough quota remaining to reopen the entire subarea, the season has continued to be open for one day at a time on various days of the week in the entire subarea (June 28, July 7, July 22, and August 4). After the August 4 opener in the entire subarea, 9,672 lb remained in the subarea quota. The subarea reopened for 3 additional days in nearshore waters only (August 18, 19 and September 1). Through September 1, Washington North Coast sport fishery's June season is estimated to have taken 48,059 lb, leaving approximately 1,710 lb in the subarea quota.

Washington South Coast Subarea (landings in Westport). The area from the Queets River to Leadbetter Point was allocated 50,907 lb (21.2% of the Washington sport allocation). The fishery was to open on May 1 and continue 5 days per week (Sunday through Thursday) in all waters (primary fishery) and continue 7 days per week in waters between the Queets River and 47°25.00' N. lat. south to 46°58.00' N. lat., and east of 124°30.00' W. long. (northern nearshore fishery). The south coast subarea quota will be allocated as follows: 48,362 lb, 95 percent, for the primary fishery, and 2,545 lb, 5 percent, for the northern nearshore fishery, once the primary fishery has closed. The primary fishery will continue from May 1 until 48,362 lb are estimated to have been taken, or until September 30, whichever is earlier. Subsequent to this closure, if there is insufficient quota remaining to reopen the primary fishery for another fishing day, then any remaining quota may be used to accommodate incidental catch in the northern nearshore area on Fridays and Saturdays, until the entire subarea quota is projected to be taken. The daily bag limit was one halibut of any size per person.

- The 5 day per week primary fishery and the 7 day per week northern nearshore fishery opened on May 1 and remained open until May 8. The total catch for this subarea was 51,166 lb, exceeding the quota by 259 lb.

Columbia River Subarea (Leadbetter Point to Cape Falcon). This sport fishery subarea was allocated 20,378 lb, consisting of 2.0 percent of the first 130,845 lb allocated to the Washington sport fishery, 4.0 percent of the Washington sport allocation between 130,845 lb and 224,110 lb (minus the pounds needed for the incidental sablefish fishery), and 5.0 percent of the Oregon/California sport allocation or an amount equal to the contribution from the Washington sport allocation, whichever is greater. The fishery was to open May 1 and continue 7 days per week until 14,264 lb is estimated to have been taken or until July 15, whichever is earlier. The fishery was to reopen on August 3 and continue 3 days per week (Friday through Sunday) until the entire subarea quota has been taken or September 30, whichever is earlier. The daily bag limit was one halibut of any size per person.

- This 7 day per week fishery began on May 1 and closed on May 26 with a total catch of 14,071 lb.
- The fishery reopened August 3 and continued 3 days a week, through August 12, when 4,561 lb were estimated to have been taken, for a total of 18,632 lb. With 1,746 lb

remaining in the quota, this fishery reopened for 3 days on August 24, 25, and 26 and for one day on September 1. The total catch for the late season was 6,213 lb. Added to the early season catch of 14,071 lb, the subarea total catch was 20,284 lb, 94 lbs under quota.

Oregon Central Coast Subarea (Cape Falcon to Humbug Mountain). This sport fishery subarea was allocated 246,727 lb (92% of the Oregon/California sport allocation less any amount needed to contribute to the Oregon portion of the Columbia River subarea quota).

Three seasons were set for this subarea: 1) a restricted depth (inside 40-fm) fishery to commence on May 1 and continue 7 days a week until October 31 or until the nearshore sub-quota of 19,738 lb were estimated to have been taken; 2) a fixed Spring season in all depths that was to open on May 10-12, 17-19, 24-26, May 31 – June 2, and June 7-9 with a catch allocation of 170,242 lb (the Spring season was to reopen for additional days if quota remains), and; 3) a Summer season in all depths that was to open on August 3-5, and which was to continue on as many weekends as possible until the total Spring-Summer quotas of 226,989 lb have been taken or until October 31, whichever is earlier. Additional fishing days may be opened if a certain amount of quota remained after August 5 and September 2, and/or an increase in the bag limit may be considered after September 2. The daily bag limit was one halibut of any size per person, unless otherwise specified.

- The inside 40-fathom fishery opened May 1 and is estimated to have taken 7,056 lb through August 12.
- The fixed Spring all-depth season in May-June, held May 10-12, 17-19, 24-26, May 31 – June 2, June 7-9, and, had a total catch of 104,385 lb, which left enough halibut in the quota to allow openings on June 21-23, July 5-7 and 19-21. During these nine additional spring all-depth fishery days, an additional 28,705 lb were taken. A total of 133,090 lb was taken in the Spring all-depth fishery, 37,152 lb under the Spring quota. The remaining Spring quota was added to the pounds available to the Summer all-depth fishery.
- The initial Summer all-depth season quota of 56,747 lb was revised by the 37,152 lb remaining from the Spring fishery. As a result, 93,899 lb was initially available to the Summer all-depth fishery. The Summer all-depth fishery opened on August 3-5 (Friday-Sunday). On August 8, NMFS, ODFW, and IPHC conferred inseason and took action to provide more fishing opportunity for the Summer all-depth fishery. The agencies agreed that because the remaining quota for the combined all-depth and inside 40-fm fishery was 94,707 lb (i.e., greater than 60,000 lb after August 5, as stated in the CSP and regulations), beginning August 10, the Summer all-depth fishery opened every Friday-Sunday. On September 6, NMFS, ODFW, and IPHC conferred inseason and took action to increase the daily bag limit from 1-fish to 2-fish beginning September 14 with the intent that the subarea quota be taken by September 30, in accordance with the CSP and regulations. The summer all-depth fishery closed September 16 with a total catch of 122,636 lb. The inside 40-fm fishery closed September 20 with a total catch of 8,600 lb. The inside 40-fm fishery closed early due to the overage in the all-depth fishery. A total of 264,326 lb was taken in the Oregon Central Coast fishery, 17,599 lb over quota.

South of Humbug Mountain, Oregon and off the California Coast Subarea This sport fishery was allocated 8,045 lb (3.0% of the Oregon/California quota). This area had a pre-set season of 7 days per week from May 1 to October 31 and a daily bag limit of one halibut of any size per person.

- This season is scheduled to remain open through October 31. No catch estimates are available for this fishery, but it is unlikely that this subarea quota will be taken.

TRIBAL FISHERIES

A sub-TAC of 494,000 lb (35% + 25,000 lb of the Area 2A TAC) was allocated to tribal fisheries. The tribes estimated that 33,000 lb would be used for ceremonial and subsistence (C&S) fisheries and the remaining 461,000 lb were allocated to the commercial fishery. The 2007 management plan was essentially identical to the management plan that the tribes have had in place since 2004. This plan divides the fisheries into “separately managed” fisheries and “joint restricted” fisheries.

For the separately managed fisheries, a tribe or group of tribes was allocated a certain percentage of the TAC that could be harvested any time between noon on March 10 and noon on July 30. Collectively, the separately managed fisheries were allocated 75% of the Tribal Commercial TAC. The separately managed fisheries landed 350,394 lbs in 377 landings (out of 345,750 lbs expected).

The remaining 25% of the TAC was open to all parties in the “joint restricted” fishery. The joint restricted fishery opened at noon March 19 with a 500-lb/vessel/day limit and closed by mutual agreement at 11:59 pm on April 13 to assess total catch in that fishery. In order to try to achieve a 40-day opportunity, some tribes reopened their restricted fishery with the limit reduced to 200 lbs/vessel/day on April 18. Likewise, in order to provide greater opportunity to other participants, the Lummi Tribe’s restricted fishery was closed during weekends and was only opened from March 19 to April 12. The restricted fishery was closed by all parties on May 3. The joint restricted fishery had a total catch of 118,042 lbs in 453 landings (out of 115,250 lbs expected).

Fishery	Dates Held	Pounds Landed	# of Landings
Separately Managed	March 10 - July 30	350,394 lb	377 landings
Restricted, 200-500 lb/vessel/day	March 19 – May 3	118,042 lb	453 landings
Total		468,436 lb	830 landings

The C&S fishery will continue through December 31 and tribal estimates of catch will be reported by the tribes in January 2008.

2007 Area 2A TAC and Catch (in pounds)					
	Quota	Inseason Revised Quota		Catch	Over/Under
TRIBAL INDIAN	494,000			501,436 *	1.5%
Commercial	461,000			468,436	1.6%
Ceremonial & Subsistence	33,000			33,000 *	--
NON-TRIBAL	846,000			811,880 ♠	-4.0%
COMMERCIAL	338,182			288,008 ♠	-14.8%
Troll	40,227	43,667 ♥		24,126 ♠	-44.8% of revised quota
Directed	227,955			224,515	-1.5%
Sablefish Incidental	70,000			39,367 ♠	-43.8%
SPORT	507,818			523,872	3.2%
WA Sport	239,636			240,167	0.2%
OR/CA Sport	268,182			283,705	5.8%
WA Inside Waters	65,562			65,562 *	--
WA North Coast	116,199			114,489	-1.5%
<i>May season</i>	83,663			66,430	-20.6%
<i>June season</i>	32,536	49,769 ♣		48,059	-3.4% of revised quota
WA South Coast	50,907			51,166	0.5%
Col River Area	20,378			20,284 ♦	-0.5%
<i>Early season</i>	14,264			14,071	-1.4%
<i>Late season</i>	6,114	6,307 ■		6,213	-1.5% of revised quota
OR Central Coast	246,727			264,326	7.1%
<i>Inside 40 fathoms</i>	19,738			8,600	-56.4%
<i>Spring (May-July)</i>	170,242			133,090	-21.8%
<i>Summer (August-October)</i>	56,747	93,899 ★		122,636	30.6% of revised quota
OR S. of Humbug/CA	8,045			8,045 *	--
TOTAL	1,340,000			1,313,316 ♠	-2.0%

* Assumed.

♥ The remaining 3,440 lb after the directed commercial fishery closed was rolled over to the halibut fishery that is incidental to the salmon troll fishery, increasing their quota to 43,667 lb.

♣ Washington's North Coast May season fishery had 17,233 lb remaining after it was closed which was transferred to the June season, increasing the June quota to 49,769 lb.

■ The Columbia River Early season had 193 lb remaining after it was closed which was transferred to the Late season, increasing the Late season quota to 6,307 lb.

★ Oregon's Central Coast spring all-depth fishery had 37,152 lb remaining. This amount was transferred to the summer all-depth fishery, increasing that quota to 93,899 lb.

♠ Data from these fisheries not complete at the time of the briefing book deadline. Updates will be provided at the Council meeting, if available.

♦ Columbia River catch= 8,950 lb from WA + 11,334 lb from OR.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED
CHANGES TO CATCH SHARING PLAN AND 2008 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 2008, in Montesano, on August 14 and October 16, 2007.

Based on the public input we received, we recommend the Council adopt the following changes to the 2008 Pacific Halibut Catch Sharing Plan for Area 2A, section (f) SPORT FISHERIES.

Washington North Coast Subarea

- 1. For the June fishery, implement the following changes: a) revise the opening date to the first Tuesday following June 16; b) specify that the Saturday offshore opener is contingent upon available quota; and c) provide flexibility in the date that the late June fishery reopens.**

Rationale – a) For ease of sampling the recreational halibut fishery, it would be beneficial if the halibut season did not overlap with the salmon season, which typically begins around July 1 in this area. With the current opening day scheduled as the first Tuesday following June 17, in 2008, the fishery would open on June 24 (as the 17th is a Tuesday); this could easily result in the fishery extending beyond June 30, which could conflict with the salmon season. By changing the date to June 16, the fishery could open as early as June 17, or as late as June 23.

b) This is more of a “housekeeping” measure. We do not anticipate that the fishery would be open unless it had been determined that there was sufficient quota remaining beforehand; however, adding this language clarifies that understanding.

c) The current Catch Sharing Plan specifies that, if sufficient quota remains, the fishery will reopen on the first Thursday following June 24. However, given our catch accounting system, we will not have the data for the first June opener available until the following Tuesday or Wednesday, which does not provide much notice to the public. This proposal would allow the fishery to reopen on any day following June 24, rather than specify the “first Thursday.”

Washington South Coast Subarea

- 2. For the primary season, implement the following changes: a) in 2008, retain the opening date of May 1. Beginning in 2009, open the fishery on May 1, if it is a Sunday; otherwise, open on the first Sunday following May 1; and b) specify that the fishery will be open two days per week—Sunday and Tuesday.**

Rationale – a) In 2008, May 1 falls on a Thursday; however, several charterboats have already booked trips for May 1, 2008, as the traditional opening date. Therefore, changing the opening date now would result in cancelling and/or rescheduling of those trips, which may be difficult to do, especially as subsequent open days are also rapidly filling up. This would provide the fishery with advance notice of changing the opening date, beginning in

2009, to align with the days of the week that the fishery would be open (i.e., Sunday and Tuesday).

b) The south coast halibut season in 2007 lasted six days and, because the fishery was open five days per week, we had to close the fishery with only a 24-hour notice. Anglers were already in port or on their way by the time they received the notice. Reducing the number of days per week that the fishery will be open from five to two would provide more time between openings, during which the catch could be tallied and a reopening scheduled. Note: The original proposal that was distributed for public review had Monday open, rather than Tuesday. However, we received input at our public meeting in support of a staggered opening, rather than two consecutive days. Similar to the north coast fishery, this change could provide an opportunity for more individual anglers to fish.

3. **For the nearshore fishery, implement the following changes: a) revise the set aside to 10% of the South Coast quota, which would be used to provide a northern nearshore fishery after the offshore fishery has closed; and b) specify that the nearshore fishery would be open on Fridays and Saturdays in addition to the days the primary season is open, rather than seven days per week.**

Rationale – a) For the past three years (2005-07), the South Coast fishery has exceeded its quota during the primary 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, which allows us to monitor catches against fairly small amounts of remaining quota. A 5% set aside was implemented in 2007; however, higher than anticipated catches and a higher average weight resulted in the entire quota being taken in the primary fishery. A higher set aside of 10% is expected to provide greater insurance (i.e., a “buffer”) against this.

b) When the primary season was open five days per week, there were only two days per week that the nearshore fishery was open with the offshore area closed (Friday and Saturday). With the revised primary season days (Sunday and Monday), it could be more difficult to monitor nearshore fishing activity. This change would keep the nearshore area open on days that the offshore is open and on Fridays and Saturdays (open Friday-Sunday and Tuesday, closed Monday, Wednesday, and Thursday).

Alternatives Considered but Rejected

While there were a few sub-options that were discussed, the primary alternative that was considered and analyzed, but rejected, is for the 15% set aside in the south coast fishery. Based on the WDFW catch data for the nearshore area, setting aside 15% of the subarea quota for a nearshore fishery would likely result in leaving a significant amount (i.e., 6,000-9,000 lbs) of quota left unharvested at the end of the season. The intent of the nearshore fishery is to accommodate incidental catch of halibut in an area that is frequented by salmon and bottomfish anglers, but that does not have any known areas that consistently produce halibut. By not having any areas that anglers can target halibut, this allows WDFW to monitor attainment of a relatively small amount of quota. However, because halibut cannot be readily harvested in the nearshore area, anglers could not achieve quotas of higher amounts (i.e., 7,000 lbs or more) for this area.