

FINAL CHANGES TO CATCH SHARING PLAN AND  
ANNUAL REGULATIONS FOR 2009

Under its standard process, the Council solicits proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan (CSP; Agenda Item C.1.a, Attachment 1) 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.

For the 2009 season, the Council is considering changes to the management of recreational fisheries in Washington and Oregon. The proposed changes resulted from recommendations provided by the Washington Department of Fish and Wildlife (WDFW) and Oregon Department of Fish and Wildlife (ODFW) after holding public meetings, and from Council discussion and public testimony received at the September 2008 Council meeting.

The Council solicited public input on the changes on its website and in the Council Newsletter article from October 2008 (Agenda Item C.1.a, Attachment 2). Additional public hearings were held by ODFW and WDFW to solicit input on the September proposals. Following those hearings, WDFW and ODFW prepared their recommendations for regulatory changes in 2009 (Agenda Item C.1.b, Supplemental WDFW Report and Agenda Item C.1.b, Supplemental ODFW Report).

Based on the input received since the September 2008 Council meeting, the states, National Marine Fisheries Service, 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 2008 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 2009.**

**Reference Materials:**

1. Agenda Item C.1.a, Attachment 1: 2008 Pacific Halibut Catch Sharing Plan For Area 2A.
2. Agenda Item C.1.a, Attachment 2: Fall 2008 Newsletter Excerpt.
3. Agenda Item C.1.b, Supplemental WDFW Report.
4. Agenda Item C.1.b, Supplemental ODFW Report.

**Agenda Order:**

- a. Agenda Item Overview
- b. Reports and Comments of Agencies and Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Final Proposed Changes for 2009

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PFMC 10/17/07

## **2008 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

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*.

### (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

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 six geographic subareas.

- (1) Subarea management. The sport fishery is divided into 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 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 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 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: 90% for the primary fishery, and 10% for the nearshore fishery, once the primary fishery has closed. In 2008, the fishery will open on May 1. Beginning in 2009, the fishery will open on May 1, if it is a Sunday; otherwise, the fishery will open on the first Sunday following May 1. The primary fishery will be open two days per week, Sunday and Tuesday, in all areas, except where prohibited, and the nearshore fishery will be open four days per week, Friday, Saturday, Sunday, and Tuesday, 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 90% 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 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 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.
- (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:* 73 FR 12280 (March 7, 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)

FALL 2008 NEWSLETTER EXCERPT

**Proposed Changes to Catch Sharing Plan and 2008 Annual Regulations**

At its September 2008 meeting, the Council adopted several proposed changes to the Area 2A Pacific halibut catch sharing plan for public review. The proposals affect Washington and Oregon sport fisheries. Final adoption of the proposed changes will take place at the Council's November 2008 meeting in San Diego. Comments on the proposals should be received by October 15, 2008, and can be emailed to [pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov), faxed (503-820-2299), or mailed to the Council office. Comments will also be taken at the Council meeting in San Diego. Additional details on the following proposals, including state sponsored public hearings, are available on the following web sites:

WDFW: [www.wdfw.wa.gov/fish/creel/halibut/](http://www.wdfw.wa.gov/fish/creel/halibut/);

ODFW: [www.dfw.state.or.us/MRP/finfish/halibut/management/index.asp](http://www.dfw.state.or.us/MRP/finfish/halibut/management/index.asp)

**Washington North Coast Subarea**

- a) Remove the provision to divide the subarea quota between May and June;
- b) Restructure the season from three staggered days per week (Tuesday, Thursday, and Saturday) to two staggered days per week (Thursday and Saturday); and
- c) Change the re-opening date in June from the first Tuesday after June 16 to the first Thursday in June.

**Washington South Coast Subarea**

- a) As an option, specify that the nearshore set-aside would be 10 percent of the subquota, or 2,000 pounds, whichever is less;
- b) Starting the third week in May the primary fishery will only be open on Sundays until the quota for the offshore season is reached;
- c) Specify that the season will be open in the nearshore areas on Thursday through Saturday during the primary season and Thursday through Sunday after the primary season; and
- d) Specify that, in addition to the South Coast Yelloweye Rockfish Conservation Area (YRCA), recreational fishing for groundfish and halibut is prohibited in the Westport Offshore YRCA.

**Columbia River Subarea**

- a) Change the structuring of the spring fishery from seven days per week to every Thursday, Friday and Saturday. The purpose of the change is to extend the duration of the spring season. Open days on Thursday, Friday and Saturday were suggested by the public as salmon seasons are often closed on Fridays and Saturdays; and

b) Open the area south of the Columbia River inside 40-fathoms to halibut retention when the inside 40-fathom fishery is open off central Oregon. See item b) under the Central Coast Subarea for more details.

### **Oregon Central Coast Subarea**

a) In the spring all-depth fishery, allow fishing on every Thursday, Friday and Saturday if pounds remain after the “fixed days”. Presently the CSP allows fishing only on every other Thursday, Friday and Saturday after the “fixed days”. The spring quota has not been taken in the last two years and poundage was rolled into the summer fishery. Opening the fishery every weekend allows more opportunity to harvest the spring quota and would also simplify the regulations; and

b) Extend the open area of the inside 40-fathom fishery north from Cape Falcon to the Columbia River. Under existing regulations, halibut caught incidentally in the nearshore groundfish fishery north of Cape Falcon must be released.

### **Oregon Coast North of Humbug Mountain (Columbia River and Central Coast Subareas)**

Allow retention of lingcod and Pacific cod with a halibut on the vessel during all-depth openings. Current language specifies that all groundfish, except sablefish (and Pacific cod north of Cape Falcon), cannot be retained with a halibut on the vessel during all-depth openings. This regulation has resulted in anglers discarding lingcod, which are often caught incidentally while targeting halibut. Allowing the retention of lingcod would not be a lingcod conservation issue as their status is considered healthy. Although Pacific cod are rarely encountered south of Cape Falcon, allowing retention in the central coast fishery helps to simplify regulations as the groundfish species allowed in the halibut fishery north and south of Cape Falcon would be the same.

The Council also directed that an Informational Report during 2009 be developed to investigate the issue of halibut bycatch in fixed gear sablefish fisheries for the purposes of bycatch accounting and the possibility of allowing incidental halibut retention south of Point Chehalis.

GROUND FISH ADVISORY SUBPANEL REPORT ON FINAL CHANGES TO CATCH  
SHARING PLAN AND ANNUAL REGULATIONS FOR 2009

The Groundfish Advisory Subpanel (GAP) considered proposed changes to the Pacific halibut catch sharing plan and 2009 regulations affecting recreational sectors of the halibut fishery in IPHC area 2A contained in Agenda Item C.1.a, Attachment 2 and Supplemental ODFW Report 2.

**GAP Recommendations:**

The GAP supports the requested changes with regard to Washington north and south coast proposals as written in C.1.a, Attachment 2 and C.1.b Supplemental WDFW Report.

The GAP does support the recommendations contained within the Supplemental ODFW Report, Agenda Item C.1.b. While there is some concern with Oregon Department of Fish and Wildlife (ODFW) on support of the proposal to extend the 40 fathom fishery beyond Cape Falcon to the Columbia River, the port of landing requirement concern by enforcement is understood. It is strongly suggested that this impediment be revisited with CR subarea user groups for consideration of change for 2010.

The GAP is in favor of pursuing the issue contained in ODFW report regarding investigating halibut bycatch in the fixed gear sablefish fisheries titled; Informational Report located on page 2.

PFMC  
11/02/08

**REPORT ON THE 2008 PACIFIC HALIBUT FISHERIES IN AREA 2A**  
(10/17/08)

The 2008 Area 2A total allowable catch (TAC) of 1,220,000 lb set by the International Pacific Halibut Commission (IPHC) was allocated as sub-TACs as follows:

Treaty Tribes	427,000 lb (35%)
Non-Tribal Total	793,000 lb (65%)
Non-Tribal Commercial	321,381 lb (includes incidental sablefish)
Washington Sport	220,238 lb
Oregon/California Sport	251,381 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 251,381 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 37,707 lb of Pacific halibut (15% of the non-Indian commercial fishery allocation) was allocated to the non-Indian commercial salmon troll fishery in Area 2A as an incidental catch during salmon 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 two 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 open period. 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. Of the halibut taken in the salmon troll fisheries through August 13, 7,965 lb were landed in Oregon and 13,384 lb were landed in Washington for a total of 21,349 lb.

**Directed fishery targeting on halibut** A quota of 213,674 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 11, June 25, July 9, July 23, August 6, August 20, September 3, and September 17, 2008. 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 without ice and slime in pounds) by vessel size.

Vessel Class/Size	6/11 & 6/25 Openings	7/9 Opening	7/23 Opening
A 0 - 25 ft.	755 lb	670 lb	200 lb
B 26 - 30 ft.	945 lb	840 lb	200 lb
C 31 - 35 ft.	1,510 lb	1,345 lb	200 lb
D 36 - 40 ft.	4,165 lb	3,705 lb	560 lb
E 41 - 45 ft.	4,480 lb	3,985 lb	600 lb
F 46 - 50 ft.	5,365 lb	4,770 lb	715 lb
G 51 - 55 ft.	5,985 lb	5,320 lb	800 lb
H 56+ ft.	9,000 lb	8,000 lb	1,200 lb

- The June 11 directed commercial fishery resulted in a catch of about 68,000 lb, leaving 145,674 lb for later openings.
- The June 25 directed commercial fishery resulted in a catch of 73,000 lb, leaving 72,674 lb for later openings.
- The July 9 directed commercial fishery resulted in a catch of 57,000 lb, leaving 16,000 lb for later openings.
- The July 23 directed commercial fishery resulted in a catch of about 21,819 lb, resulting in an approximate 5,000 lb overage. The directed fishery closed on July 23 for the remainder of 2008.

**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 permitted 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 August 27, 2008 this fishery is estimated to have taken 24,254 lb.

**SPORT FISHERIES (Non-tribal).**

A sub-TAC of 471,619 lb (68.3% of non-tribal share – 70,000 lb for the incidental sablefish fishery) was allocated between sport fisheries in the Washington area (36.6%) and Oregon/California (31.7%). The allocations were further subdivided as quotas among seven geographic subareas as described below.

**Washington Inside Waters Subarea** (Puget Sound and Straits of Juan de Fuca). This area was allocated 59,354 lb (23.5% of the first 130,845 lb allocated to the Washington sport fishery, and 32% of the Washington sport allocation between 130,845 and 224,110 lb). 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 10 and continued through June 13, 5 days per week (Thursday-Monday). The Western Region opened on May 22 and continued through July 21, 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 109,991 lb (62.2% of the first 130,845 lb allocated to the Washington sport fishery, and 32% of the Washington sport allocation between 130,945 lb and 224,100 lb). The fishery was divided into two seasons with 30,798 lb set aside for the second season. The fishery opened May 13 and continued 3 days per week (Tuesday, Thursday, and Saturday) until 79,194 lb were estimated to have been taken. The second season was to open on June 17 and 19 in the nearshore area only and on June 21 in all waters. If insufficient quota remains to reopen the entire north coast subarea on June 24, then the nearshore area would reopen on June 24, up to four days per week (Thursday-Sunday), until the overall quota of 109,991 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 13 and continued 3 days a week, through June 14, when 64,747 lb were estimated to have been taken. The remaining quota for the May season, 7,383 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 30,798 lb was revised to 38,181 lb. The season re-opened on June 17 and 19 in nearshore waters and June 21 in the entire subarea, during which 21,516 lb were taken. Because there was enough quota remaining to reopen the entire subarea, the season re-opened on June 28 during which 9,695 lb were taken. Not enough quota remained for an opening in the entire sub-area so the fishery was then re-opened on July 26 and August 29 in the nearshore area only. Through August 29, Washington North Coast sport fishery's June season is estimated to have taken 35,041 lb, leaving approximately 3,340 lb in the subarea quota.

**Washington South Coast Subarea (landings in Westport).** The area from the Queets River to Leadbetter Point was allocated 44,700 lb (12.3 % of the first 130,845 lb allocated to the Washington sport fishery and 32% of the Washington sport allocation between 130,845 and 224,110). The fishery was to open on May 1 and continued 2 days per week (Sunday and Thursday) in all waters (primary fishery) the fishery would also be open 4 days per week (Friday, Saturday, Sunday and Tuesday) 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) during the primary season. The south coast subarea quota will be allocated as follows: 40,230 lb, 90 percent, for the primary fishery, and 4,470 lb, 10 percent, for the northern nearshore fishery, once the primary fishery has closed. The primary fishery will continue from May 1 until 40,230 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 primary season was open from May 1 through June 17 and resulted in the harvest of 40,239 lbs (the nearshore area was also open during that time). There was not sufficient quota for another offshore day after June 17. 158 lbs were caught in the northern nearshore area through September 30 from June 23 through August 30 leaving 4,303 lbs remaining in the subarea quota.

**Columbia River Subarea** (Leadbetter Point to Cape Falcon). This sport fishery subarea was allocated 18,762 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 13,133 lb is estimated to have been taken or until July 20, whichever is earlier. The fishery was to reopen on August 1 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 June 1 with a total catch of 15,005 lb.
- Catch during the early season resulted in 3,757 lbs remaining for the late season, due to the smaller quota the fishery reopened for 2 days, August 1 and 2 when 1,671 lb were estimated to have been taken.
- With 2,086 lb remaining in the quota, this fishery reopened for 3 days on August 22, 23 and 29 resulting in a catch of 1,043 lb, 864 lbs of the quota were leftover after accounting for 179 lbs of illegal recreational catch.

**Oregon Central Coast Subarea** (Cape Falcon to Humbug Mountain). This sport fishery subarea was allocated 231,271 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 18,502 lb were estimated to have been taken; 2) a fixed Spring season in all depths that was to open on May 8, 9, 10, May 15, 16, 17, May 22, 23, 24, May 29, 30, 31, and June 12, 13, 14 with a catch allocation of 159,577 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 1, 2, and 3, and which was to continue on as many weekends as possible until the total Spring-Summer quotas of 212,769 lb have been taken or until October 26, whichever is earlier. Additional fishing days may be opened if a certain amount of quota remained after August 3 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 11,610 lb through September 28, 2008.
- The fixed Spring all-depth season in May-July, was held on May 8-10, 15-17, 22-23, 29-31, June 12-14, 26-28, July 10-12 and 24-26, and had a total catch of 119,656 lb. The remaining Spring quota of 39,921 lb was added to the pounds available to the Summer all-depth fishery.
- The initial Summer all-depth season quota of 53,192 lb was revised due to the 39,921 lb remaining from the Spring fishery. As a result, 93,113 lb was initially available to the Summer all-depth fishery. The Summer all-depth fishery opened on August 1-3 (Friday-Sunday). On August 7, 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 71,961 lb (i.e., greater than 60,000 lb after August 5, as stated in the CSP and regulations), beginning August 8, the Summer all-depth fishery opened every Friday-Sunday. On September 2, NMFS, ODFW and IPHC conferred inseason and took action to increase the daily bag limit to 2 fish. The agencies agreed that increasing the bag limit was warranted with the intent that the quota for the subarea be taken by September 30 as specified in the CSP. The fishery was open under a 2 fish daily bag limit on September 13, 14, 20, 21 and open under a 1 fish daily bag limit on September 27. This fishery closed on September 27 due to attainment of the quota. Through September 27 this fishery is estimated to have taken 93,619 lb, 506 lb over the quota.

**South of Humbug Mountain, Oregon and off the California Coast Subarea** This sport fishery was allocated 7,541 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 427,000 lb (35% of the Area 2A TAC) was allocated to tribal fisheries. The tribes estimated that 30,000 lb would be used for ceremonial and subsistence (C&S) fisheries and the remaining 397,000 lb were allocated to the commercial fishery. The 2008 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 8 and noon on July 30. Collectively, the separately managed fisheries were allocated 75% of the Tribal Commercial TAC. The fishery closed on June 3, as the separately managed fishery expected catch was attained. The separately managed fisheries landed 326,133 lbs in 385 landings (out of 297,750 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 17 with a 500-lb/vessel/day limit and closed by mutual agreement on April 15 due to an achievement in total catch in the fishery. In order to try to achieve a 40-day opportunity, the Lummi, Nooksack, Suquamish and Swinomish tribes closed their restricted fisheries on March 27. The restricted fishery was closed by all parties on May 3. The joint restricted fishery had a total catch of 100,746 lbs in 356 landings (out of 99,250 lbs expected).

Fishery	Dates Held	Pounds Landed	# of Landings
Separately Managed	March 8 - June 3	326,133 lb	385 landings
Restricted, 200-500 lb/vessel/day	March 17 – April 15	100,746 lb	356 landings
Total		426,879 lb	741 landings

The C&S fishery will continue through December 31 and tribal estimates of catch will be reported by the tribes in January 2009.

2008 Area 2A TAC and Catch (in pounds)				
	Quota	Inseason Revised Quota	Catch	Over (+)/Under (-)
TRIBAL INDIAN	427,000		456,879	7%
Commercial	397,000		426,879	7.5%
Ceremonial & Subsistence	30,000		30,000	--
NON-TRIBAL	793,000		656,096	-17.3%
COMMERCIAL	321,381		258,521 ♠	-19.5%
Troll	37,707		21,349 ♠	-43.3%
Directed	213,674		219,819 ♠	2.8%
Sablefish Incidental	70,000		24,254 ♠	-65.3%
SPORT	471,619		397,575 ♠	-15.7%
WA Sport	220,238		156,943 ♠	-28.7%
OR/CA Sport	251,381		240,631	-4.3%
WA Inside Waters	59,354		-- ♠	--
WA North Coast	109,991		106,852 ♠	-2.8%
<i>May season</i>	79,194		71,811 ♠	-9.3%
<i>June season</i>	30,798	38,181 ♣	35,041 ♠	-8.2%
WA South Coast	44,700		40,398	-9.6%
Col River Area	18,762		17,899 ♦	-4.6%
<i>Early season</i>	13,133		15,005	+14.25%
<i>Late season</i>	5,629	3,757 ■	2,894	-22.9%
OR Central Coast	231,271		224,885 ♠	-2.7%
<i>Inside 40 fathoms</i>	18,502		11,610 ♠	-37.2%
<i>Spring (May-July)</i>	159,577		119,656	-25.01%
<i>Summer (August-October)</i>	53,192	93,113 ★	93,619	+0.5%
OR S. of Humbug/CA	7,541		7,541 *	--
<b>TOTAL</b>	<b>1,220,000</b>		<b>1,112,975</b>	<b>-8.77%</b>

\* Assumed.

♣ Washington's North Coast May season fishery had 7,383 lb remaining after it was closed which was transferred to the June season, increasing the June quota to 38,181 lb.

■ The Columbia River Early season exceeded the quota by 1,972 lb which was deducted from the Late season, decreasing the Late season quota to 3,757 lb.

★ Oregon's Central Coast spring all-depth fishery had 39,921 lb remaining. This amount was transferred to the summer all-depth fishery, increasing that quota to 93,113 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= 9,693 lb from WA + 8,205 lb from OR.

NMFS PROPOSED CHANGES TO THE  
2009 PACIFIC HALIBUT CATCH SHARING PLAN AND REGULATIONS  
FOR AREA 2A

NMFS is proposing some changes to the 2009 Pacific halibut Catch Sharing Plan (CSP) and regulations. The proposed changes are as follows:

- 1) In section 330.61 add Nooksack to the definition of "Treaty Indian tribes".
- 2) Add the Nooksack tribes fishing area boundaries to the table in section 300.64 (i), which defines the boundaries of each tribe's fishing area. Text will read as follows: Those locations in the Strait of Juan de Fuca and Puget Sound as determined in or in accordance with Final Decision No. 1 and subsequent orders in *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), and particularly at 459 F. Supp. 1049, to be places at which the Nooksack Tribe may fish under rights secured by treaties with the United States".
- 3) Add Westport YRCA, to areas prohibited to recreational halibut fishing in 300.63 (h) and in section (f)(1)(iii) of the CSP, Washington south coast subarea, recreational fishing for groundfish and halibut will be prohibited in this area. This area is being added thought the 2009-2010 Groundfish Specifications and Management Measures.

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES  
TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2009 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) held two public meetings to discuss Pacific Fishery Management Council (PFMC) approved proposals for changes to the Pacific Halibut Catch Sharing Plan (CSP) for sport fisheries off Oregon in 2009. The meetings occurred on October 7 and 8 in Newport and Astoria, respectively. Based on the meeting comments, and other public input, the ODFW recommends the PFMC take the following actions relative to the CSP for the 2009 fishery.

**Recommended Changes to the CSP:**

**Columbia River Subarea – *Spring Fishery Openings Thursday-Saturday***

Change the structuring of the spring fishery from 7 days per week to every Thursday, Friday and Saturday. The purpose of the change is to extend the duration of the spring season. Open days on Thursday, Friday and Saturday were suggested by the public as salmon seasons are often closed on Fridays and Saturdays.

**Central Coast Subarea – *Allow the retention of Pacific cod***

Allow the retention of Pacific cod with a halibut on the vessel during all-depth openings. Current language specifies that all groundfish, except sablefish, cannot be retained with a halibut on the vessel during all-depth openings. Although Pacific cod are rarely encountered south of Cape Falcon, allowing retention in the Oregon central coast fishery helps to simplify regulations as the groundfish species allowed in the all-depth halibut fishery north and south of Cape Falcon would be the same. Pacific cod and sablefish are currently allowed in the Columbia River subarea when a halibut is on the vessel.

**Proposed Changes to the CSP Not Supported:**

**Central Coast Subarea – *Weekly vs every other week openings in Spring after “Fixed Dates”***

The proposal is to allow fishing on *every* Thursday, Friday and Saturday in the spring all-depth fishery if pounds remain after the “fixed days” opening. Presently the fishery opens *every other* Thursday, Friday and Saturday if pounds remain after the “fixed days”. Weekly openings would provide additional opportunity to harvest the entire spring quota, which has not been taken in the last two years with the remaining poundage rolled into the summer fishery. Public comment indicated a concern that if the Area 2A TAC is significantly reduced the fishery may be very short and continuing openings *every other* Thursday, Friday and Saturday after the “fixed days” may be preferred as it may extend the duration of the spring season over a couple of months. Therefore, ODFW is not recommending moving this proposal forward for 2009. The proposal may be reconsidered for the 2010 fishery.

**Central Coast and Columbia River Subareas – *Extend the open area of the inside 40-fathom fishery north to the Columbia River***

The proposal is to extend the open area of the inside 40-fathom fishery north from Cape Falcon to the Columbia River. Under the proposal the fishery would be open from Humbug Mt. to the Columbia River and catch would count toward the Oregon central coast subarea allocation. The intent of the proposal was to allow the retention of halibut caught incidentally in the nearshore groundfish fishery north of Cape Falcon. Due to unresolved enforcement and landing issues this proposal is not recommended for 2009. Further discussion of this proposal will occur throughout 2009, and ODFW may consider it for the 2010 fishery.

**Columbia River and Central Coast Subareas – *Allow the retention of lingcod***

The proposal is to allow the retention of lingcod with a halibut on the vessel. Due to the depleted status of yelloweye rockfish and concern has been expressed that some anglers would target lingcod increasing the incidental impacts on yelloweye rockfish, thus this proposal is not recommended.

**Informational Report:**

The ODFW re-iterates its support for investigating the issue of halibut bycatch in the fixed gear commercial sablefish fisheries for the purpose of bycatch accounting and the possibility of allowing incidental halibut retention south of Point Chehalis, and encourages Council Staff to pursue an informational report on the subject in 2009.

## ODFW proposed changes to the Catch Sharing Plan (CSP)

Proposed changes to the CSP are shown in bold and are underlined.

### (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~~ **the first Thursday in May**, and continue ~~7 days per week~~ **3 days per week, Thursday-Saturday** 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 **and Pacific cod** 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 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.

## **2008 Tribal Halibut Summary**

The 2008 treaty halibut allocation was 427,000 lbs of which 397,000 lbs was assigned to the commercial total allowable catch (TAC) and 30,000 lbs was set aside for the ceremonial and subsistence (C&S) fishery.

The commercial fishery was structured into “separately managed” fisheries wherein certain percentage limits of the TAC were separated into regional management groupings. These could be harvested any time between noon on March 8<sup>th</sup> and noon on July 30<sup>th</sup> 2008. Collectively, the separately managed fisheries accounted for 75%, or 290,250 lbs. of the 2008 Tribal Commercial TAC. The separately managed fisheries landed 326,133 lbs in 385 landings.

The other commercial fishery is intended to provide a 40 day continuous opportunity using the remaining 25% of the TAC which is open to all Halibut fishing Tribes as a "joint restricted" fishery. The joint restricted fishery opened at noon on March 17<sup>th</sup> with a 500-lb/vessel/day limit and closed on April 15<sup>th</sup> due to an unexpected higher catch level in that fishery. The joint restricted fishery expected harvest was 99,250 lbs. and the recorded catch was 100,746 lbs in 356 landings.

The total tribal commercial catch in 2008 was 426,879 lbs – which resulted in an unanticipated overage of 29,879 lbs for the Tribal Commercial TAC. The final catch update is attached, which shows landings by fishery and tribe. The C&S fishery will continue through December 31.

The tribes will continue to work internally with each other to improve coordination of in-season management and to avoid overages in future halibut fisheries. We are also working closely with the IPHC staff on getting better data on the halibut populations in area 2A to improve abundance estimates.

PFMC  
11/02/08



# Northwest Indian Fisheries Commission

PO Box 1029 Forks, WA 98331-1029  
 (360) 374-5501 Fax (360) 374-5592

## Memorandum

To: Halibut Tribe Fishery Managers  
 From: Sandy Zeiner, Coastal Regional Biologist  
 Date: 11/2/2008  
 Subject: Halibut Catch Update # 22

Report Date:

08/04/08

**FINAL**

These are catch statistics reported by the tribes to the NWIFC

Total Tribal Commercial Halibut Landings		
2008 Commercial Halibut Allocation:	<b>397,000</b>	Pounds
Separately Managed Fishery expected catch:	<b>297,750</b>	Pounds
Restricted Fishery expected catch:	<b>99,250</b>	Pounds

### Total Halibut Catch by Fishery and Tribe

Separately Managed Fishery		
Tribes	Catch (pounds)	No. of landings
Hoh	0	0
Jamestown	0	0
Lower Elwha	900	5
Lummi	16,280	53
Makah	181,463	229
Nooksack	282	2
Port Gamble	0	0
Quileute	47,360	25
Quinault	76,421	62
Skokomish	0	0
Suquamish	0	0
Swinomish	3,427	9
Tulalip	0	0
<b>Total</b>	<b>326,133</b>	<b>385</b>

Restricted Fishery	
Catch (pounds)	No. of landings
0	0
381	3
2,642	18
30,064	135
63,681	179
861	5
0	0
0	0
0	0
0	0
52	1
3,065	15
0	0
<b>100,746</b>	<b>356</b>

Season	Pounds
Allocation:	<b>397,000</b>
Total Harvest:	<b>426,879</b>
Remaining:	<b>-29,879</b>

Reported Weights are dressed weights adjusted (reduced) by 2% for ice and slime.  
 Head on and gutted weight x .90 = head off gutted weight;  
 Head off gutted weight x .98 = adjusted dressed weight

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED  
CHANGES TO CATCH SHARING PLAN AND 2009 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 2009 on August 19 and October 14, 2008, in Montesano.

A considerable amount of input regarding the need for adequate notice of openings and closings of the halibut fishery was received during the public meetings and throughout the 2008 season. As most of the Washington recreational halibut fishing occurs in fairly remote areas, providing advance notice of season changes allows anglers to revise travel plans, as needed. To help facilitate this, WDFW has worked with recreational representatives to identify specific weeks that would be closed to halibut fishing; these closures are intended to provide time to tally the catch and provide notice for additional openings or closures depending on the amount of quota remaining.

Based on the public input we received, we recommend the Council adopt the following changes to the 2009 Pacific Halibut Catch Sharing Plan for Area 2A, section (f) SPORT FISHERIES.

North Coast Subarea

1. Remove the provision to divide the subarea quota between May and June, and restructure the season from three staggered days per week (Tuesday, Thursday, and Saturday) to two staggered days per week (Thursday and Saturday).

Rationale – Removing the quota split between May and June is intended to provide stability and reduce the number of inseason actions (i.e., closures and reopeners). The effort in the North Coast recreational halibut fishery has grown to the point that it takes a significant amount of halibut quota remaining to reopen the fishery for one offshore fishing day. The May season is managed to ensure that there is adequate quota set aside for June; as such, when there is not sufficient quota to reopen in May, any remaining quota is then rolled over in June. For the past couple of years, this has resulted in a higher allocation for the June fishery than what was specified in the Catch Sharing Plan (e.g., 43% in 2007 and 35% in 2008, rather than 28%). In the future, if the Area 2A quota is reduced and, subsequently, the North Coast quota is reduced, then this problem could be exacerbated.

Reducing the number of days open from three to two is intended to stretch out the season so that the intent of providing fishing days in the latter part of June is preserved. The selection of Thursday and Saturday is intended to continue to provide one weekend day of fishing per week. By having only one closed day in between open days, this also provides an opportunity for anglers to remain in port and continue fishing for halibut, if they so desire. If this change had been in effect in 2008, it would have resulted in an additional offshore weekday in exchange for a nearshore weekday (see Table 1).

Table 1. Comparison of season structure with a split quota between May and June open three days per week (status quo) with one quota open two days per week (proposed change).

	2008 (split quota)				2009 (one quota)			
	Offshore		Nearshore		Offshore		Nearshore	
	Wkday	Wkend	Wkday	Wkend	Wkday	Wkend	Wkday	Wkend
May	4	2	0	0	2	2	0	0
June	0	3	2	0	3	3	0	0
Post-June	0	0	0	1	0	0	1	1
<b>Total</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>1</b>

2. Change the re-opening date in June from the first Tuesday after June 16 to the first Thursday in June.

Rationale – Reopening in early June will allow a more continuous flow of the season and maximize the time available prior to the opening of the salmon season, which typically occurs around July 1. This is anticipated to provide economic benefits to the community overall by having a halibut/bottomfish season separate from a salmon season.

In 2009, provided there is sufficient quota, the North Coast halibut fishery would be open on: May 14, 16, 21, and 23, and June 4, 6, 18, 20, 25, and 27 (Note: June 20, 25, and 27 could likely be nearshore-only days).

The original intent of the nearshore-only fishery was to provide an opportunity to “mop-up” the remaining quota when there was not sufficient quota to reopen the fishery for an offshore day. We anticipate continuing to offer the nearshore-only fishery toward the end of the season to preserve this intent while maximizing offshore opportunity as a primary objective.

### South Coast Subarea

1. Specify that the nearshore set-aside would be 10% of the subquota, or 2,000 pounds, whichever is less.

Rationale – Setting a cap on the nearshore set aside ensures that the majority of the quota is reserved for the primary offshore fishery, which remains a priority; this cap is especially important in years with higher subarea quotas. On the other hand, by keeping the 10% specified, if the Area 2A quota is reduced and, subsequently, the South Coast quota is reduced, then the set aside would be proportionately reduced as well. It is anticipated that a set aside of 2,000 pounds will accommodate incidental catches, while a larger set aside is unlikely to be utilized by the fishery.

2. Open the first Sunday in May and continue to be open on Sundays and Tuesdays in May, except open on Sunday only beginning the third week in May until the quota for the primary season is reached.

Rationale – The Sunday-only opening beginning the third week in May provides a catch accounting opportunity after the initial, typically high effort days at the beginning of the season and the ability to provide sufficient notice of additional openings at the end of

May. In addition, reducing the number of days open from two to one is intended to stretch out the season while continuing to provide one weekend day of fishing per week.

In 2009, provided there is sufficient quota, the South Coast offshore halibut fishery would be open on: May 3, 5, 10, 12, 17, 24, and 31, and June 7, 14, 21, and 28.

3. Specify that the season will be open in the nearshore areas on Thursday through Saturday during the primary season (in addition to the offshore days) and Thursday through Sunday after the primary season.

Rationale – Increasing the number of days that the nearshore fishery is open during the primary season and after the offshore quota is reached will allow better access to the set aside quota and reduce the amount of incidentally caught halibut that would otherwise be discarded.

4. Specify that, in addition to the South Coast YRCA, recreational fishing for groundfish and halibut be prohibited in the Westport Offshore YRCA.

Rationale – The Council's approved Management Measures for 2009-2010 include a new YRCA in the South Coast subarea that will be closed to recreational halibut fishing effective January 1, 2009.

#### Columbia River Subarea

We reviewed and discussed the Columbia River subarea proposals submitted by the Oregon Department of Fish and Wildlife in September, which included reducing the primary season from seven days per week to three days per week, and allowing the retention of lingcod. In general, it was difficult to see how the reduction in the days per week could benefit Washington-based anglers, given that the primary season currently lasts through the end of May and all of the Washington-based charter boats in Ilwaco switch to sturgeon fishing beginning in June. However, based on discussions with Columbia River representatives, we would not oppose changing the season structure, especially as the overall quota for Area 2A may be reduced.

Relative to lingcod retention, while the availability of areas to target lingcod within the Columbia River subarea are limited and occasional incidental catches occur, it is our understanding that there are targetable areas off Tillamook Head in the southern portion of the Columbia River subarea and targetable lingcod areas off central Oregon. Therefore, WDFW is concerned about the potential yelloweye rockfish catch that could result from targeting lingcod in those areas.

Further, it is our understanding that such yelloweye rockfish catch would be in addition to what was projected in the 2009-2010 specifications analysis. As Washington continues to share a harvest guideline with Oregon in 2009 and 2010 and our fisheries are already constrained to meet our respective targets, any additional yelloweye catch could jeopardize recreational fishing opportunity in both Washington and Oregon. Therefore, WDFW does not support allowing lingcod retention in the Columbia River and central Oregon halibut fisheries.

## PACIFIC HALIBUT CATCH APPORTIONMENT METHODOLOGY

The International Pacific Halibut Commission (IPHC) adopted a coastwide approach to assessing the Pacific halibut stock abundance at its 2008 Annual Meeting. The IPHC staff recommended that the total allowable catch of halibut based on the coastwide assessment be apportioned into IPHC regulatory areas using a constant exploitation rate applied to data from the fishery-independent IPHC setline stock assessment survey and estimates of bottom area from each regulatory area. The resultant allocation to Area 2A was a substantial reduction from recent years. However, at the 2008 Annual Meeting, the IPHC Commissioners deferred adoption of the new apportionment approach until IPHC staff had conducted a workshop to further explore the basis and implications of the new approach.

The biomass apportionment workshop was held September 4, 2008 in Bellevue, Washington and was attended by staff from the various Area 2A agencies, tribes, and fishing interests. The IPHC staff has released a summary of the workshop (Agenda Item C.2.a, Attachment 1). The summary, as well as presentations, comments and questions, and other relevant materials from the workshop are available on the IPHC website at:

<http://www.iphc.washington.edu/halcom/meetings/workshop2008/baw2008.htm>.

A Halibut Managers Workgroup (HMW) met on October 6, 2008, with IPHC staff to explore technical questions about the stock assessment and apportionment methodology. As a result of the workshop and subsequent meeting with IPHC staff, the HMW will report to the Council on their discussions and potential approaches for catch apportionment among IPHC regulatory areas. The Council should provide guidance for approaching catch apportionment at the IPHC Interim and Annual meetings in November 2008 and January 2009, respectively.

A summary of recent apportionment by catch area, including by-catch, is presented in Agenda Item C.2.a, Attachment 2.

### **Council Action:**

- 1. Discuss scientific and policy bases for area apportionment.**
- 2. Provide guidance for developing recommendations to U.S. Commissioners on the IPHC for catch area apportionment.**

### **Reference Materials:**

1. Agenda Item C.2.a, Attachment 1: IPHC Apportionment Workshop Summary.
2. Agenda Item C.2.a, Attachment 2: Legal Sized Halibut Removals Allocated to IPHC Catch Areas

### **Agenda Order:**

- a. Agenda Item Overview Chuck Tracy
- b. Reports and Comments of Agencies and Advisory Bodies
- c. Public Comment
- d. **Council Action:** Recommendations to International Pacific Halibut Commission

PFMC  
10/16/08

**IPHC Apportionment Workshop Summary  
September 4<sup>th</sup>, 2008  
Red Lion Hotel and Convention Center  
Bellevue, WA**

**Commissioners attending**

James Balsiger  
Laura Richards  
Gary Robinson

**IPHC Staff attending**

**Presenters**

Bruce Leaman  
Steven Hare  
Ray Webster  
Juan Valero

**Others**

Claude Dykstra  
Tracee Geernaert  
Heather Gilroy  
Kirsten Gravel  
Lara Hutton  
Steve Kaimmer  
Thomas Kong  
Michael Larsen  
Lauri Sadorus  
Robert Tobin  
Jay Walker  
Gregg Williams

**Moderator**

Richard Marasco

**IPHC Apportionment Workshop Summary**  
**September 4<sup>th</sup>, 2008**  
**Red Lion Hotel and Convention Center**  
**Bellevue, WA**

The workshop was convened by IPHC Executive Director, Dr. Bruce Leaman. He noted that the presentations would be online after the meeting; proceedings and presentations would also be made available via DVD upon request and free of charge.

Dr. Richard Marasco was introduced as the workshop moderator.

Dr. Leaman introduced the subject matter by explaining that the IPHC instituted a coastwide assessment approach two years prior; a change from the closed area assessments done previously. The issue then became how to apportion the biomass among areas. This workshop provided a chance to gain information and engage in discussion. It is not a decision-making meeting.

Dr. Leaman began the discussion by noting that there would be several candidate apportionment methods presented by staff. The chosen method must address the needs of stockwide management, have feedback built into it, protect area-specific spawning contributions, be precautionary, and be robust in terms of stock structure. Opening statements were invited.

Mr. Gary Logan from Canada's Department of Fisheries and Oceans (DFO) thanked the Commission for putting the workshop together. He noted that Canada is pleased to hear this will be a discussion workshop only and will not include policy decision-making. A steering committee has been formed in Canada to process this information and possibly form a suite of questions for the IPHC staff. He continued by saying that Canada accepted the concept of a coastwide assessment. However, it is in a severe socio-economic downturn currently and the fleet has taken on the additional costs of an integrated program. Canada does not accept the survey apportionment method for Area 2 because it is unfair. The committee has some thoughts that will be presented at this meeting.

Mr. Don Bodenmiller of Oregon Department of Fisheries and Oceans (ODFW) commented that there has been a lot of support for the coastwide assessment, but agreed that survey apportionment for Area 2 is unfair. There are questions of catchability in all areas that need to be addressed as well as socio-economic issues. ODFW sees apportionment as a policy decision, and if it's not broken, why fix it.

Dr. Marasco commented that in his experience with the North Pacific Fishery Management Council's (NPFMC) Scientific and Statistical Committee, he found it very useful to generate as much information as possible for policy makers and that's what this meeting was about. He invited attendees to share their comments, views, and opinions.

Dr. Ray Webster presented the results of the IPHC PIT tag program. Several main points were made by participants:

- 1) The time period between release and recovery varies, and at what point is a halibut considered in its “home” area. Dr. Webster responded that the majority of recoveries are in the summer months, with only a small number recovered in the spring and fall seasons. However, those that are recovered in early spring and late fall are more likely to be captured outside the area of release than tagged fish recovered in the summer months. These fish are a relatively small proportion of tag recoveries, and therefore are unlikely to have a major impact on estimation.
- 2) The point was made that Area 2A releases began in 2003 from the setline survey that covers the entire area. However, since that time, the distribution of the fishery itself has changed, for example the halibut fishery has been moved to outside 100 fathoms. The decreased chance of capture of PIT tagged fish in this area needs to be factored into the equation. Dr. Webster explained that reduced tag-recoveries because of reductions in commercial fishing range should not be a problem.
- 3) Since there is less chance of tag recovery in the western areas because of less effort, it would seem to overestimate the migration rate to the east. Dr. Webster explained that the lower exploitation in western areas is accounted for in the model.
- 4) There was some confusion over biomass estimates within the tagging model. Dr. Webster explained that there were now exploitable biomass estimates independent of the stock assessment for each area. It uses the exploitation rate derived from the tagged:untagged ratio in the catch to estimate the exploitable population. The low recovery rates in western areas would suggest a biomass ten times what we believe is actually there. The reason for the discrepancy is being addressed through PAT tagging.
- 5) There was interest in how commercial recoveries compare to recoveries on the setline survey. Dr. Webster noted that recoveries on the surveys show relatively high site fidelity of tagged fish. He added that as long as the fleet is not intentionally targeting or avoiding survey stations, this should not be a problem. There was a request to test how robust the model is to non-randomness of commercial fishing effort.
- 6) There was a suggestion to look at different survival rates of the tagging process based on size of fish as well as water temperature, air temperature during tagging, etc. It was suggested also that the trawl fishery in the western areas could be picking up a large number of fish and tags. Dr. Leaman commented that the staff discussed the possibility of observers scanning for tags, but that it would be a full time job for them and not feasible. Furthermore, the trawl fishery and halibut tagging tended to take place in different areas, and the size composition of bycatch in the trawl fisheries is overwhelmingly smaller than fish caught and tagged on the surveys.
- 7) There was some discussion of possible migration to the west into Russian waters. Dr. Webster noted that it may be that the tagged fish only migrate west and the untagged fish do not. Dr. Leaman explained that 125 PAT tags were deployed this year to look at this problem. Results from previous PAT and current PIT tagging suggest similar results – about 20% of the fish are moving while 80% are staying close to area of release.

Following a break, Dr. Steven Hare presented information about the IPHC stock assessment and harvest policy.

Mr. Gary Williamson commented that in all of Area 2, recruitment is decreasing, but increasing in Area 3A, which is the center of the stock. If migration was a major contributor to the stock in Area 2, and the quotas were going up or remaining the same in Area 3A, then it appeared the fish were being caught before they had a chance to migrate.

Many attendees expressed frustration regarding the uncertainty of the migration information and how this uncertain information was creating huge impacts in the stock assessment for Area 2. Dr. Hare iterated that the take home message from the PIT tagging experiment is that the fish do migrate to the east, making closed area assessments not feasible. To what degree, the staff has not yet determined.

A representative from the Makah tribe thanked the IPHC for providing industry the opportunity to dialogue with staff on the work being done. He noted that the Makah's support the theme brought forth earlier by the Canadian delegation. There is also the concern of being regulated out of the fishery. Every year the biologists hold meetings with the tribal fishers to present IPHC information and for the past couple of years, it's been frightening to them. The tribe is forced to conduct a strictly regulated, short, fast fishery that has weather, fuel, and tide concerns among others. The catch therefore does not truly reflect the CPUE for the area. During the summer troll fisheries, halibut are a common bycatch and this seems contrary to a declining biomass. The tribe requested that the IPHC look back at what was allocated in the past few years as evidence that the fishery is truly sustainable. In addition, the Makah technical staff would like to have further interaction with the IPHC staff leading up to the release of catch limit recommendations.

There were several comments and clarifications regarding the perceived biomass in Area 2 and how it could have sustained over the past several years of heavy fishing if it was truly being overfished. Dr. Hare commented that the goal is to have a constant fishing mortality across all regions of the stock so that harvest is in proportion to how the stock is distributed naturally. There is a reason that the stock was distributed this way to begin with. He added that a classic sign of an overfished population is a decrease in average age of the stock, and that signal is clear in Area 2.

The staff was asked to compare the NMFS trawl survey in Area 2C with the setline survey results as is done in Areas 3A and 3B.

Differing selectivity and catchability among areas was brought up several times as a source of concern. The staff responded that determining these factors is a priority.

Following a break for lunch, Dr. Hare presented various apportionment options.

Several attendees noted that there were aspects of the setline survey that could have produced errors, such as timing of the charter from one year to the next, standardization of gear, and tides to name a few. Many suggested that if the staff wanted to use the setline survey as a direct reflection of abundance of fish on the grounds of each area, then it should be proven. Dr. Hare responded that the gear is standardized, but there are certainly still catchability questions that could be related to other factors such as timing and tides. He agreed that further study would be advantageous.

There were also concerns expressed regarding surveying grounds that had been recently fished versus grounds allowed to “rest” for a period of time prior to survey fishing. Dr. Webster commented that he had examined this, presented results in this year’s RARA, and found no effect. There was a suggestion to test the method to see at what point a difference could be detected. It may be that the model was not sensitive enough to detect the changes. Dr. Webster agreed to do the analysis. Dr. Leaman commented that changing how the survey operated now, for example implementing a rolling stand down of commercial fishing, would affect the standardization of the entire survey and that in the absence of any demonstrated effects, it would be unwise to change the survey process.

Dr. Juan Valero presented computer generated tools to look at apportionment options.

Mr. Jim Whitethorn of the West Brothers group in Area 2C suggested a slow up-slow down policy using a 15-year average of commercial catch instead of the current 3-year average of survey CPUE. This would be less of a burden financially on the fishers in the area. He commented that based on experience, there were a large number of migratory fish in Area 2C, and July and August would be better months to perform the survey since June has always yielded lower catches. He added that the declining catch limits should be spread throughout the system and not concentrated in Area 2 only.

Concerns were expressed by Area 4 fishers that Area 4B has a different structure than the rest of the stock and these differences were being ignored. Dr. Hare noted that Area 4B is indeed oceanographically unique and there was research being conducted in the area. He also explained that Area 4B enjoyed a relatively high catch limit for several years because it was an under-exploited stock. However, that level of fishing was unsustainable in the long run and eventually a new exploited equilibrium is reached that is lower than the one-time bonanza harvests.

There were many inquiries about, if indeed exploitation rates in Area 2B have been around 50%, how could there still be a viable fishery there. Dr. Hare explained that the exploitable biomass is only a small portion of the total biomass in an area. The fish are constantly growing and moving. The past couple of decades worth of fishing were heavily dependent on a few very large year classes that recruited into the fishery. Those year classes have now been fished out and replaced by much smaller ones. A big indicator that exploitation is too high is the fact that the average age of the commercially caught halibut is young, at about 9 years old. That means that the average fish is below spawning age and is caught before contributing back to the population. So, if fishing were to continue at this high exploitation rate, but there is adequate out of area recruitment, the fishery could sustain for several more years. However, if a large portion of the recruitment in Area 2B comes from Area 2B females, then there could be a stock crash.

Dr. Valero demonstrated the impacts on the stock of varying degrees of immigration using the simulating tool.

A representative of Washington Department of Fish and Wildlife suggested looking only at the CPUE for the first 20% of commercial catch in a given year, stating that it’s very difficult to solve the problem of time in the survey.

Other questions included:

- 1) Understanding the tradeoff between a pound of fish that emigrates. Dr. Hare explained that it is nowhere near a pound for a pound. So if a pound of halibut emigrates from Area 3B and ends up in Area 2B, the realized yield would be significantly less than one pound.
- 2) Looking at a 30-inch instead of a 32-inch size limit and whether that would keep more larger females on the grounds. Dr. Leaman explained that the staff has looked at that scenario and the problem was that there was no way to tell how the industry would behave. The result would be a change in the definition of exploitable biomass and in theory a higher catch limit. However, if the fleet did not land fish according to how they occurred naturally (e.g. high-grading) then the worst situation would result – a higher catch on the existing exploitable biomass.
- 3) Whether the staff has looked at blended alternatives with the simulation tool. Dr. Valero commented that the staff is looking at multiple management models.

Mr. Steve Joner, Makah tribe, commented that in 1887, the Makahs harvested 1.2 million pounds of halibut from what is now Area 2A. That is about what is being taken out now. The current harvest in Area 2A seems sustainable so what is the evidence that the stock is being overexploited? Dr. Hare responded that while it seems to be holding its own, the survey and commercial CPUE in the area has declined 50% in the past several years. If that fact is added to the fact that there is a decline of larger females, it presents a classic picture of an overexploited stock. He added that in this year's stock assessment, there will be a graphic describing the contribution of the spawning biomass in Area 2 illustrating the contribution to be very small. Regarding depletion in Area 3, Dr. Hare explained that if each area feeds off its own recruitment, then theoretically, Area 3 would not be affected by an Area 2 recruitment failure, but we don't know if this is true. Mr. Joner asked the staff to run a simulation to see how long it would take to reach a biomass level with the characteristics of an unfished stock if fishing were to cease. Dr. Hare agreed. He also asked for a meeting with staff in October which Dr. Leaman agreed to.

Mr. Phil Anderson (WDFW/PFMC) thanked the staff for the information presented and for preparing the workshop. He stated that there was a lot of surprise and confusion after the 2008 Annual Meeting and this workshop helped to explain some of it. WDFW and PFMC are committed to conservation and believe the coastwide assessment is appropriate. Apportionment is more complex when overlaid with conservation issues and since Area 2A takes such a small portion of the overall exploitable biomass, there is still more convincing to be done before agreeing that a 30-40% cut is warranted. He added that Area 2A is ready to step up to the changes needed though. He also asked the Commission to consider the timing of the PFMC process and its implementation of the catch sharing plan when making significant changes to the assessment process that could impact the overall catch limits.

Several comments were made regarding the economic hardships of a downturn in the stock, and asked that before any dramatic changes took place, to be sure the problem is real and not hypothetical. The point was also made that while the age structure changes appear real, there is still a disconnect as to how the Area 2 fishery has sustained so long. It was suggested that the increased harvest rates in the west are the one factor that have changed the dynamics. Dr. Hare responded that while the harvest rates in the west have increased, it is clearly not the only cause of a downturn in the east.

Comments were also made from workshop participants warning other participants to be cautious and to put the resource first even if it is difficult economically. It was further stated that the halibut fishery has been sustainable because scientists and harvesters have worked together through the years with the resource as the primary concern.

Other comments included:

- 1) Staff was asked to look at the way that stocks could be rebuilt in Area 2 with less dramatic cuts.
- 2) Agreement that Area 2C catch rates were not performing well, but that there are still significant questions about catchability in the survey that need to be addressed.
- 3) Staff was asked to revisit the bycatch problem in Area 4 as a source of loss to areas further east.
- 4) The staff was asked to explore the idea of changing the size limit to harvest more old, small males and keep the larger females in the water.
- 5) Concern that there could be local depletion of some survey stations due to the survey itself. Dr. Leaman responded that ODFW and IPHC worked together on a paired station experiment this past summer to look at that possibility. Results were not yet available.

In closing, Dr. Leaman commented that one directive to this workshop was to increase the understanding about the information available and to get opinions on how stakeholders were feeling about it. It is not a surprise to staff that folks are concerned, and a common theme seems to be that a phase-in approach is favored.

Dr. Richards thanked participants for coming. She acknowledged that sometimes these sorts of venues create more questions and work, as did this workshop, but they are useful. It is not unusual to have conflicting views and information and it's now the Commission's job to wade through it. She added that overall, she felt that participants were interested first in the conservation of the stock.

The workshop was adjourned.

Legal sized halibut removals (net weight pounds) allocated to IPHC catch areas.

	Catch Area								Total
	2A	2B	2C	3A	3B	4A	4B	4CDE	
<b>2008</b>									
TAC <sup>a/</sup>	1.22	9.00	6.21	24.22	10.90	3.10	1.86	3.89	60.40
bycatch etc. <sup>b/</sup>	0.29	0.47	3.36	6.47	0.53	0.75	0.33	2.01	14.21
Total	1.51	9.47	9.57	30.69	11.43	3.85	2.19	5.90	74.61
Percent	2.0%	12.7%	12.8%	41.1%	15.3%	5.2%	2.9%	7.9%	100.0%
<b>2007</b>									
TAC <sup>a/</sup>	1.34	11.47	8.51	26.20	9.22	2.89	1.44	4.10	65.17
bycatch etc. <sup>b/</sup>	0.27	0.53	3.79	7.89	0.43	0.57	0.29	2.30	16.07
Total	1.61	12.00	12.30	34.09	9.65	3.46	1.73	6.40	81.24
Percent	2.0%	14.8%	15.1%	42.0%	11.9%	4.3%	2.1%	7.9%	100.0%
<b>2006</b>									
TAC <sup>a/</sup>	1.38	13.22	10.63	25.20	10.86	3.35	1.67	3.55	69.86
bycatch etc. <sup>b/</sup>	0.22	0.53	3.40	7.24	0.43	0.55	0.28	2.29	14.94
Total	1.60	13.75	14.03	32.44	11.29	3.90	1.95	5.84	84.80
Percent	1.9%	16.2%	16.5%	38.3%	13.3%	4.6%	2.3%	6.9%	100.0%
<b>2005</b>									
TAC <sup>a/</sup>	1.33	13.25	10.93	25.47	13.15	3.44	2.26	3.99	73.82
bycatch etc. <sup>b/</sup>	0.39	0.44	3.12	6.61	0.46	0.58	0.29	2.01	13.90
Total	1.72	13.69	14.05	32.08	13.61	4.02	2.55	6.00	87.72
Percent	2.0%	15.6%	16.0%	36.6%	15.5%	4.6%	2.9%	6.8%	100.0%
<b>2004</b>									
TAC <sup>a/</sup>	1.48	13.80	10.50	25.06	15.60	3.47	2.81	3.79	76.51
bycatch etc. <sup>b/</sup>	0.30	0.47	2.97	6.52	0.65	0.73	0.19	2.57	14.40
Total	1.78	14.27	13.47	31.58	16.25	4.20	3.00	6.36	90.91
Percent	2.0%	15.7%	14.8%	34.7%	17.9%	4.6%	3.3%	7.0%	100.0%
<b>2004-2008 Average</b>									
TAC <sup>a/</sup>	1.35	12.15	9.36	25.23	11.95	3.25	2.01	3.86	69.15
bycatch etc. <sup>b/</sup>	0.29	0.49	3.33	6.95	0.50	0.64	0.28	2.24	14.70
Total	1.64	12.64	12.68	32.18	12.45	3.89	2.28	6.10	83.86
Percent	2.0%	15.1%	15.1%	38.4%	14.8%	4.6%	2.7%	7.3%	100.0%

a/ Includes sport catch for Areas 2A and 2B.

b/ Includes legal sized bycatch, wastage, personal use, and sport catch, except that sport catch for Areas 2A and 2B are included in the TAC.

PFMC  
10/15/08

PACIFIC FISHERY MANAGEMENT COUNCIL REPRESENTATIVE REPORT ON  
PACIFIC HALIBUT CATCH APPORTIONMENT METHODOLOGY

On October 3, 2008, a subset of the Pacific Fishery Management Council's ad hoc Halibut Managers' Workgroup met with International Pacific Halibut Commission (IPHC) staff regarding the status of the Pacific halibut stock and the apportionment of removals among the regulatory catch areas. Area 2A attendees included: Phil Anderson, Michele Culver, and Theresa Tsou (WDFW); Steve Williams and Don Bodenmiller (ODFW); Sarah McAvinchey (NMFS); Steve Joner (Makah Tribe); Joe Schumacker (Quinault Indian Nation); and Rob Jones and Bob Conrad (Northwest Indian Fisheries Commission).

Area 2A halibut managers held a conference call to identify questions for the meeting ahead of time, focusing on stock information (e.g., migration, harvest rate, survey timing, and age data) and apportionment methodology. The following is a summary of our discussion with IPHC.

Stock Information

With regard to migration, in general, the tagging information indicates a one-way migration only (i.e., east to west), and is expressed as an emigration rate relative to the area of origin. For example, 4% of halibut emigrating from Area 3A to Area 2A could represent a much higher percentage of Area 2A abundance as the abundance in Area 3A is significantly higher. Migration is estimated to be around 4-8% per year, depending on the area, and it is believed that the harvest rate has a more direct effect on the stock within an area than the migration factor.

There are very few tag recoveries in Area 2A (nine recoveries over the five-year period) in spite of the fact that IPHC and Washington Department of Fish and Wildlife staff are scanning sport, commercial and tribal landings at relatively high sample rates (i.e., 30-50%). Plausible explanations for this include: 1) the implementation of the rockfish conservation areas in 2003 likely reduced the overall halibut catch in the fixed gear fisheries; and 2) as halibut are prohibited in trawl fisheries, halibut are not scanned for tags prior to their release. In any case, there is little data from Area 2A tagging activities from which to draw conclusions relative to migration.

The harvest rate in Area 2 continues to be a concern for IPHC staff. Area 2 removals represent 32% of the total, but Area 2 comprises only 20% of the female spawning biomass. If the higher harvest rate were to continue, then fish could be removed before fisheries could realize the benefits of high recruitment events. Added to this is the reduction in the number of halibut greater than 20 years old in Area 2. With a 20% harvest rate, IPHC staff would expect to see fish greater than 20 years old comprise about 5-6% of the total in Area 2; however, the survey data indicates that only about 3% of the Area 2 stock is greater than 20 years old. This is especially concerning as more than half of the amount of fish recruiting to Area 2 comes from fish originating in Area 2.

Relative to the survey timing, Area 2A halibut managers referred to the statement from the Pacific Council's Scientific and Statistical Committee (SSC) indicating that over the past several years 60-90% of the halibut are removed from Area 2A prior to the annual survey. The percentage of removals in the Area 2A commercial fisheries prior to the survey is described in Table 1. It was noted that, while recreational removals are not included in the table, the majority

of the halibut sport fisheries have concluded prior to the survey, which typically occurs in July and August. We also did not have information relative to the timing of the halibut bycatch in the trawl fishery, but it is anticipated that it occurs primarily in the summer months when vessels are targeting flatfish on the shelf. Therefore, the percentage of removals prior to the survey is likely quite a bit higher when recreational catches and trawl bycatch are also included. Using the survey CPUE as the primary index of abundance for Area 2A could likely result in an underestimate of biomass, and using survey CPUE as the basis for apportionment would also negatively affect 2A's proportion relative to the other areas.

Table 1. Percent halibut removed in Area 2A commercial fisheries prior to IPHC survey, 2002-07.

2002	2003	2004	2005	2006	2007
86%	94%	72%	81%	86%	88%

### Apportionment Methodology

IPHC staff continues to support using survey catch per unit of effort (CPUE) multiplied by bottom area to apportion the halibut amongst regulatory catch areas. However, IPHC staff indicated that there were potential negative biases that could result from using this methodology relative to: 1) changing the bait used in the survey in certain regulatory areas; 2) calculating the amount of halibut habitat in each area and the need to apply a habitat correction factor in some cases; and 3) the timing of the survey relative to the timing of harvest. Area 2A halibut managers noted that all three of these factors apply to Area 2A—i.e., the type of bait used in the survey has changed, Area 2A has the highest correction factor (1.25) applied, and, as described above, the majority of the halibut in Area 2A has been removed prior to the survey—potentially adding significant negative bias, and requested that IPHC staff examine the cumulative effects of these factors in calculating the proposed apportionment for Area 2A. IPHC staff agreed to explore the sensitivity of the survey CPUE and potential biases and cumulative effects for all areas prior to the IPHC Interim Meeting scheduled for November 19-20.

Area 2A halibut managers also referenced a letter from the Alaska Department of Fish and Game to IPHC recommending the “closed area” apportionment method in the short-term until more information is available relative to survey catchability, and asked IPHC staff to describe the effects of this method on the coastwide stock. IPHC staff indicated that this method would perpetuate the problems inherent in the closed area assessments, which led IPHC staff to take a coastwide approach. It was noted that Area 2A's apportionment is slightly reduced (from 1.3% to 1.2%) using the closed area method when compared to the survey CPUE x bottom area method (IPHC staff preferred); however, the closed area method maintains the linkage between Area 2A and Area 2B (i.e., Area 2A is calculated as a percentage of 2B), whereas the Area 2A calculation is independent using the CPUE x bottom area method. IPHC staff also indicated that they plan to conduct additional research in 2010 to provide more information on survey catchability by area, which may include a trawl/setline comparison.

As next steps, some Area 2A halibut managers will be attending the Interim Meeting on November 20 in Seattle. Following that, we would recommend another meeting or conference call of the Area 2A Halibut Managers' Workgroup prior to the IPHC Annual Meeting the week of January 13, 2009, in Vancouver, B.C.