

## 2013 PACIFIC HALIBUT REGULATIONS

Under its standard process, the Council solicits proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan (CSP) (Agenda Item E.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. The National Marine Fisheries Service (NMFS) has prepared an inseason update on 2012 halibut catch in Area 2A with the assistance of state and tribal managers to provide perspective on the performance of the current CSP (Agenda Item E.1.b, NMFS Report).

For the 2013 season, the Council is considering changes to the management of recreational fisheries in Washington and Oregon. For the commercial salmon troll fishery, the Council is considering allowing retention of incidentally caught Pacific halibut beginning April 1. The proposed changes resulted from recommendations provided by the Washington and Oregon Departments of Fish and Wildlife (WDFW and ODFW, respectively) after holding public meetings, from the International Pacific Halibut Commission, and from Council discussion and public testimony received at the September 2012 Council meeting.

The Council solicited public input on the changes on its website and in the Council Newsletter article from September 2012 (Agenda Item E.1.a, Attachment 2). ODFW and WDFW also solicited public input, including public hearings on September 24-30, and subsequently prepared agency recommendations for regulatory changes in 2012 (Agenda Item E.1.b, WDFW Report and Agenda Item E.1.b, ODFW Report).

Based on the input received since the September 2012 Council meeting, the Council will take final action on regulatory changes in the halibut fishery at this meeting.

### **Council Action:**

- 1. Within the scope of the September 2012 proposals (E.1.a, 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 2013.**

### **Reference Materials:**

1. Agenda Item E.1.a, Attachment 1: 2012 Pacific Halibut Catch Sharing Plan For Area 2A.
2. Agenda Item E.1.a, Attachment 2: Fall 2012 Newsletter Excerpt.
3. Agenda Item E.1.b, NMFS Report: Report on the 2012 Pacific Halibut Fisheries in Area 2A.
4. Agenda Item E.1.b, WDFW Report: Washington Department of Fish and Wildlife Report on Proposed Changes to the Catch Sharing Plan and 2013 Annual Regulations.
5. Agenda Item E.1.b, ODFW Report: Oregon Department of Fish and Wildlife Report on Proposed Changes to the Pacific Halibut Catch Sharing Plan for the 2013 Fishery.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Final Proposed Changes to the 2013 Pacific Halibut Catch Sharing Plan and Annual Fishery Regulations

Chuck Tracy

PFMC

10/16/12

## **2012 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 13 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 660.330, 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 660.70(c) and in salmon regulations at 50 CFR 660.405(c).

(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 the

coordinates will be specifically defined at 50 CFR 660.71 through 660.74. 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 660.230, 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 660.70(b). Coordinates for the Non-Trawl RCA are specified in groundfish regulations at 50 CFR 660.73.

(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 June. The fishery will open on the first Thursday between May 9 and 15, and continue 2 days per week (Thursday and Saturday) in May as scheduled pre-season, unless there is a quota management closure. If there is no quota management closure in May, the fishery will reopen on the first Thursday in June as an all depth fishery on Thursdays and Saturdays as long as sufficient quota remains. This schedule allows adequate public notice of any inseason action before each Thursday opening. If there is not sufficient quota for an all-depth day, the fishery would reopen in the nearshore areas described below:

- 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*.

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 660.70(a) and will be described 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: 10% or 2,000 pounds, whichever is less, will be set aside for the nearshore fishery with the remaining amount allocated to the primary fishery. During days open to the primary fishery and seaward of the 30-fm line lingcod may be taken, retained and possessed, when allowed by groundfish regulations. The fishery will open on the first Sunday in May. The primary fishery will be open two days per week, Sunday and Tuesday, in all areas, except where prohibited, and will remain open for three consecutive Sundays and Tuesdays before a management closure the following week to tally the catch. If the primary quota is projected to be obtained sooner than expected the management closure may occur earlier. If there is sufficient quota remaining following the management closure the fishery would continue two days per week, Sunday and/or Tuesday, until the quota for the primary fishery season is reached or September 30, whichever is earlier. If there is insufficient quota remaining to reopen the primary fishery for another fishing day, the remaining primary fishery quota will be added to the nearshore quota. The nearshore fishery takes place, in the area from 47°31.70' N. lat. south to 46°58.00' N. lat. and east of a boundary line approximating the 30 fathom depth contour as defined by the following coordinates:

47°31.70' N.lat, 124°37.03' W. long;  
47°25.67' N. lat, 124°34.79' W. long;  
47°12.82' N. lat, 124°29.12' W. long;  
46°58.00' N. lat, 124°24.24' W. long.

During the primary season the nearshore fishery will be open seven days per week. Subsequent to the closure of the primary fishery, the nearshore fishery will continue seven days per week 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 two YRCA's off Washington's southern coast. The South Coast Recreational YRCA and the Westport Offshore YRCA are defined by straight lines connecting latitude and longitude coordinates. Coordinates for these Recreational YRCAs are specified in groundfish regulations at 50 CFR 660.70 (d) and (e) and will be described 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 an amount equal to the contribution from the Washington sport allocation from the Oregon/California sport allocation. This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on the first Thursday in May or May 1 if it is a Friday or Saturday, 3 days per week, Thursday through Saturday until 80 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 either the Summer all-depth sub-quota or the nearshore subquota based on need, determined via joint consultation between IPHC, NMFS and ODFW. 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 660.70 (f) and will be described 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 (12 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 63 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 25 percent of the subarea quota. The fishery will be structured to be open every other week on Friday and Saturday 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 and Saturdays 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 and Saturday (versus every other Friday and Saturday), 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 and Saturday, the fishery will re-open on every Friday and Saturday (versus every other Friday and Saturday), 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.

Sources:

76 FR 14300 (March 16, 2011)	73 FR 12280 (March 7, 2008)	60 FR 14651 (March 20, 1995)
75 FR 13024 (March 18, 2010)	72 FR 11792 (March 14, 2007)	59 FR 22522 (May 2, 1994)
74 FR 11681 (March 19, 2009)	71 FR 10850 (March 3, 2006)	58 FR 17791 (April 6, 1993)
	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)	

## FALL 2012 NEWSLETTER EXCERPT

The following is an excerpt of The Line, the Pacific Fishery Management Council's summary of west coast fisheries news, which described potential changes to the Area 2A Pacific Halibut Catch Sharing Plan.

[The Line, Volume 1, No. 3, September 2012](#)

### HALIBUT

The Council adopted for public review the following changes in the Area 2A Pacific Halibut Catch Sharing Plan: 1) Revise the early season structure of the Columbia River Subarea recreational Fishery to keep the early season open until 80 percent of the subarea allocation is reached; 2) remove the provision that would close the early season on the third Sunday in July; and 3) revise the days of the week so the early season is open from Thursday through Saturday, instead of Friday - Sunday. In the Oregon Central Coast Subarea Recreational Fishery, the Council is considering eliminating the summer all-depth fishery by transferring the entire quota to the spring all-depth and nearshore fisheries, and reducing the number of open days per week for the nearshore fishery from seven to three. For the Salmon Troll Fishery, the Council is considering allowing retention of incidentally caught Pacific halibut in the salmon troll fishery beginning April 1.



October 9, 2012

### CHANGES TO THE IPHC INTERIM AND ANNUAL MEETINGS

The International Pacific Halibut Commission has adopted several changes to the schedule and format for its Interim and Annual Meetings. The Commission developed these changes in response to recommendations from the 2012 Performance Review and using input from stakeholders across the halibut community. They are designed to improve the workings of the Commission by making its meetings and deliberations more open and transparent to the public. The new meeting formats will be used for the 2012 Interim Meeting and the 2013 Annual Meeting, after which they will be re-evaluated with stakeholder input to make further improvements for the next meeting cycle. The primary changes are noted in the following meeting announcements.

### 2012 IPHC INTERIM MEETING ANNOUNCEMENT

The International Pacific Halibut Commission's Interim Meeting will be held in Seattle, Washington, on **Wednesday and Thursday, November 28 and 29, 2012** at the offices of the IPHC. The meeting will begin at 9:00am PST on Wednesday and run through Thursday afternoon.

The primary change to the Interim Meeting is to make more of its sessions accessible to the public via webcast. In past meetings, only the initial staff presentations were webcast. This year, except for the finance and administration session at the end of the second day, **all sessions will be webcast and the webcast is open to the public. Another important change will be the opportunity for the public to ask questions of the presenters and/or Commissioners during these sessions.**

More time has been added to this year's Interim Meeting schedule to accommodate additional agenda items. The meeting will start with a discussion of the 2012 Performance Review and IPHC planning efforts, and continue in the afternoon of the first day with the customary slate of presentations and discussion.

The draft agenda, registration for the webcasts, and other Interim Meeting information is posted at <http://www.iphc.int/meetings-and-events.html>. This information will be updated as the agenda and other details are finalized. Results from the meeting, including staff assessment of the fishery and harvest advice, will be published in a news release after the Interim Meeting.

Commissioners from each government determine in-person attendance at the Interim Meeting and should be contacted for information and attendance requests. For those attending the Interim Meeting, rooms are available at \$137 per night at the Edgewater Hotel ([www.edgewaterhotel.com](http://www.edgewaterhotel.com)). Please identify yourself as attending the *IPHC Interim Meeting*. For reservations, please contact Tracy Torre by phone at (206) 269-4568 or via email at [torre@edgewaterhotel.com](mailto:torre@edgewaterhotel.com), or call the general reservations number at (800) 624-0670 during regular business hours and ask for "in-house reservations."

*Please see Information Bulletin 70 for a discussion of the changes to the IPHC staff harvest advice (<http://www.iphc.int/library/bulletins/300-ib0070.html>).*

## 2013 IPHC ANNUAL MEETING ANNOUNCEMENT

The Eighty-Ninth Annual Meeting of the International Pacific Halibut Commission will be held from **Monday, January 21 through Friday, January 25, 2013** at The Fairmont Empress in Victoria, BC. A block of rooms has been reserved for attendees at the hotel **until December 21, 2012** at a special rate of \$119 CAD for a single (Fairmont type), plus taxes. After the cut-off date, the rate and/or rooms may not be available. The Fairmont Empress is located at 721 Government Street, Victoria, BC. Please identify yourself as attending the *International Pacific Halibut Commission Annual Meeting* to receive the special rate and ensure room availability. For reservations please call (250) 384-8111 or visit the meeting site available at: <https://resweb.passkey.com/go/intlpacifichalibutcomm>.

The changes to the Annual Meeting are designed to make its proceedings more open and transparent. In contrast to previous Annual Meetings, this year **all public sessions and administrative sessions will be open to the public. These open sessions will also be webcast.**

In addition, more time has been added throughout the schedule to accommodate the open session formats and public discussion. **This year's meeting will begin on Monday afternoon** (January 21, 2013) and run through mid-day on Friday (January 25). Monday afternoon will open with presentations on the fishery, stock assessment, harvest policy, and staff harvest advice, topics which were presented on Tuesday morning at previous Annual Meetings. The 2012 Performance Review will be discussed in public session on Tuesday. The Annual Meeting will conclude with Commission approval of regulations and catch limits on Friday.

The Commission will distribute a brief summary of stock assessment information and staff harvest advice as soon as possible following the Interim Meeting. This information will also be available on the Commission's webpage at <http://www.iphc.int>. **Proposals for 2013 catch limit changes should be submitted to the Commission by December 30, 2012.** A summary of all proposals will be posted on the IPHC website when available.

**The Commission also invites the public to submit requests for 2013 regulatory changes (season length, clearances in Area 4, logbook reporting measures, etc.) or management actions for review at the Annual Meeting. The deadline date for submission is November 2, 2012.** The Commission will not guarantee consideration of proposals received after this date. The submission form can be downloaded from the IPHC website or can be requested by calling the Commission offices at (206) 634-1838. A summary of all proposals will be posted on the IPHC website when available.

The 2013 IPHC Annual Meeting Schedule of Sessions and the corresponding hotel meeting rooms will be released in December 2012. Current information regarding the Annual Meeting, including regulation and catch limit proposal forms, can be located on the Annual Meeting page of the Commission's website (<http://www.iphc.int/meetings-and-events/annual-meeting.html>) or by calling the IPHC office at (206) 634-1838. The Commission's website will be updated regularly with new information as the meeting date approaches.

***Please see Information Bulletin 70 for a discussion of the changes to the IPHC staff harvest advice***  
(<http://www.iphc.int/library/bulletins/300-ib0070.html>).



October 2012

Number 70

### **NEW FORMAT FOR IPHC STAFF HARVEST ADVICE**

The IPHC staff harvest advice is being restructured to present more information and more options for consideration by Commissioners as they set the annual catch limits. This change is in response to Commission direction at the 2012 Annual Meeting, reinforced by the 2012 Performance Review and stakeholder feedback. Although this restructured advice format is new to the IPHC, it is becoming common practice in world fishery management. This procedural approach provides a more transparent delineation between scientific results and management/policy decisions, ultimately enabling a better understanding of the risks associated with different fishery harvest options.

In the past, IPHC staff harvest advice centered on point biomass estimates and catch limit recommendations (i.e., single numbers for each). This format does not adequately convey the uncertainties around stock estimates and the risks of various possible outcomes at different catch levels. This year, the IPHC staff harvest advice will be summarized in a table which integrates uncertainty surrounding the stock assessment as it relates outcomes to estimates of risk.

The new format will give the Commissioners a wider range of advice to consider as they set catch limits for 2013. For example, different catch levels (outcomes) can be evaluated and presented in terms of their impact (risk) on the stock and harvest rates. The Commissioners will be able to examine a range of harvest options and the probable impacts on the stock as they deliberate. The table below illustrates the structure of how the staff will be providing advice to the Commission and stakeholders. This table is only an example; the particular metrics (column headings) may be different in the final version.

This year's stock assessment and catch advice will undergo a scientific review by a small work team of fishery experts before being presented to the Commissioners at the Interim Meeting. The Commission intends to make scientific peer review, with stakeholder participation, a regular feature of the annual assessment cycle. During the coming year a more formal structure will be developed for future reviews, following discussion at the Interim and Annual Meetings and with stakeholder input.

# Management metrics including uncertainty

		Stock status			Harvest	
		Probability of:				
Potential						
2013 CEY		$SB_{2014} < SB_{2013}$	$SB_{2014} < SB_{30\%}$	$EB_{2014} < EB_{2013}$	$CEY_{2014} < CEY_{2013}$	$HR > Target$
Potential Benefit	low	XX%	...			
	...	...				
	XX lbs <i>Status quo</i> )					
	...					
	high					

Risk

Example of Restructured Harvest Advice Format

## **REPORT ON THE 2012 PACIFIC HALIBUT FISHERIES IN AREA 2A**

(10/11/2012)

The 2012 Area 2A total allowable catch (TAC) of 989,000 lbs set by the International Pacific Halibut Commission (IPHC) was allocated as sub-TACs as follows:

Treaty Tribes	346,150 lbs (35%)
Non-Tribal Total	642,850 lbs (65%)
Non-Tribal Commercial	203,783 lbs
Washington Sport	214,110 lbs
Oregon/California Sport	203,783 lbs

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. Refer to the table at the end of this report for the catches by the tribal, commercial and recreational fisheries.

### **NON-TRIBAL COMMERCIAL FISHERIES**

A sub-TAC of 203,783 lbs (31.7% of the non-tribal share + 21,173 lbs for incidental halibut catch in the sablefish primary 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 21,173 lbs were allocated to an incidental catch fishery in the sablefish primary fishery for vessel using longline gear north of Point Chehalis, WA. This allowance for the sablefish primary fishery is only available in years when the overall Area 2A TAC exceeds 900,000 lbs and comes from the portion of the Washington sport allocation that is above 214,110, as long as the amount is at least 10,000 lbs.

### **Incidental halibut catch in the salmon troll fishery**

A quota of 30,568 lbs of Pacific halibut (15% of the non-tribal commercial fishery allocation) was allocated to the non-tribal commercial salmon troll fishery in Area 2A as incidental catch during salmon troll 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 2012 meeting was one halibut (minimum 32 inches) per four Chinook landed by a salmon troller, except that one halibut could be landed without meeting the ratio requirement, and no more than 20 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 from May 1-July 3, 2012. As of July 3, 2012, it is estimated that 35,255 lbs were taken.

### **Directed fishery targeting on halibut**

A quota of 173,216 lbs (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, there are closed areas along the coast defined by depth contours. Between the U.S./Canada border and 40°10' N. lat. the western boundary is defined by a line approximating the 100 fm depth contour. The eastern boundary is defined as follows: Between the U.S./Canada border and 46°16' N. lat., the boundary is the shoreline. Between 46°16' N. lat. and 43°00' N. lat., the boundary is the line approximating the 30 fm depth contour. Between 43°00' N. lat. and 42°00' N. lat. the boundary is the line approximating the 20 fm depth contour. And between 42°00' N. lat. and 40°10' N. lat. the boundary is the 20 fm depth contour. One-day fishing periods of 10 hours in duration were scheduled every other week by the IPHC starting June 27, 2012. A 32 inch 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.

**2012 fishing period limits (dressed weight, head-off without ice and slime in pounds) by vessel size.**

Vessel Class/Size	June 27 Opening	July 11 Opening
A 0 - 25 ft.	755 lbs	200 lbs
B 26 - 30 ft.	945 lbs	200 lbs
C 31 - 35 ft.	1,510 lbs	250 lbs
D 36 - 40 ft.	4,165 lbs	695 lbs
E 41 - 45 ft.	4,480 lbs	745 lbs
F 46 - 50 ft.	5,365 lbs	895 lbs
G 51 - 55 ft.	5,985 lbs	1,000 lbs
H 56+ ft.	9,000 lbs	1,500 lbs

- The June 27 directed commercial fishery resulted in a catch of about 150,000 lbs, leaving approximately 23,000 lbs.
- The July 11th directed commercial opening resulted in an approximate catch of 29,000 lbs. The fishery closed following the July 11<sup>th</sup> opening.

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

A quota of 21,173 lbs was allocated to the limited entry sablefish primary fishery in Area 2A as an incidental catch during longline sablefish operations north of Point Chehalis, WA. The sablefish primary season is open 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 50 lbs (dressed weight) of halibut per 1,000 lbs (dressed weight) of sablefish and up to 2 additional halibut in excess of the landing limit ratio. 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 September 16, this fishery is estimated to have taken 4,861 lbs.

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

A sub-TAC of 417,894 lbs (68.3% of non-tribal share, minus 21,173 lbs allocated to the sablefish primary fishery from the Washington sport allocation) was allocated between sport fisheries in the Washington area (36.6%) and Oregon/California (31.7%). The allocations were further subdivided as quotas among six geographic subareas as described below. Unless otherwise notes the daily bag limit in all subareas was one halibut of any size, per person, per day.

#### **Washington Inside Waters Subarea** (Puget Sound and Straits of Juan de Fuca).

This area was allocated 57,393 lbs (23.5% of the first 130,845 lbs allocated to the Washington sport fishery, and 32% of the Washington sport allocation between 130,845 and 224,110 lbs). 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 Puget Sound eastern sub-area, east of Low Point, was open May 3-19, 3 days per week, Thursday-Saturday. May 24-28, 5 days, Thursday-Monday. May 31-June 2, 3 days per week, Thursday through Saturday. The Puget Sound western sub-area, west of Low Point, was open May 24-28, Thursday-Monday, and May 31-June 23, 3 days a week, Thursday-Saturday.

- The estimates for total catch in this area 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 108,030 lbs (62.2% of the first 130,845 lbs allocated to the Washington sport fishery, and 32% of the Washington sport allocation between 130,945 lbs and 224,110 lbs). The fishery was open for seven days (May 10, 12, 17, 19, and 31, June 2 and 14, 2012). The "C-shaped" North Coast Recreational YRCA, southwest of Cape Flattery, was closed to sport halibut fishing.

- The estimated total catch for this area is 105,479 lbs, leaving 2,551 lbs.

#### **Washington South Coast Subarea** (landings in Westport)

The area from the Queets River to Leadbetter Point was allocated 42,739 lbs (12.3% of the first 130,845 lbs allocated to the Washington sport fishery and 32% of the Washington sport allocation between 130,845 and 224,110 lbs). This subarea operates with a primary fishery and a nearshore fishery. The primary fishery was open May 6, 8, 13, 15, 20, and closed after the 20<sup>th</sup>. The nearshore fishery was open 7 days a week between May 6 and June 8, 2012.

The nearshore fishery occurs 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. The south coast subarea quota was allocated as follows: 2,000 lbs to the nearshore fishery and the remaining lbs (40,739 lbs) to the primary fishery. The nearshore quota was reduced by the 33 lbs overage in the primary fishery for an adjusted quota of 1,967 lbs.

- The primary season was open from May 6 through May 20 with an estimated catch of 40,772 lbs.
- The northern nearshore area was open May 6 through June 8 with an estimated total catch of 1,695 lbs

#### **Columbia River Subarea** (Leadbetter Point to Cape Falcon)

This sport fishery subarea was allocated 11,895 lbs, consisting of 2.0% of the first 130,845 lbs allocated to the Washington sport fishery, and 4.0% of the Washington sport allocation between 130,845 lbs and 224,110 lbs, minus 21,173, (which is the amount allocated to incidental take in the sablefish primary fishery), and an equal amount from the Oregon/California sport allocation. This is a change from previous years, when the Oregon/California contribution to the Columbia River subarea was 5% of the Oregon/California sport allocation or an amount equal to the Washington contribution, whichever was greater.

The fishery opened May 3 and continued 3 days per week until July 14, 2012. The fishery reopened on August 3 and is currently open, through September 30, 2012.

- The early fishery was open May 3 to July 14 with an estimated catch of 6,499 lbs.
- Catch during the early season resulted in underage of 3,017 lbs, which was added to the late season quota, for a revised late season quota of 5,396 lbs.
- The late season fishery opened August 3 and continues until September 30, with an estimated catch of 1,351 lbs.

#### **Oregon Central Coast Subarea** (Cape Falcon to Humbug Mountain).

This sport fishery subarea was allocated 191,780 lbs (92% of the Oregon/California sport allocation).

Three seasons were set for this subarea: 1) a restricted depth (inside 40-fm) fishery commenced on May 1 and continued 7 days a week until July 22; 2) a fixed Spring season in all depths that was open on May 10-12, 17-19, 24-26, May 31-June 2, 14-16, and 29-30, and; 3) a Summer season in all depths that was open on August 3, 4, 17, 18.

- The inside 40-fathom fishery closed on July 22 with an estimated total catch of 32,872 lbs. This was an 4,858 lbs overage.
- The fixed Spring all-depth season closed on June 30 with an estimated total catch of 111,269 lbs. This resulted in an underage of 9,552 lbs.
- The spring all depth underage was allocated 5,000 lbs to the inside 40-fathom fishery and 4,552 to the summer all depth fishery. However, because the final inside 40-fathom fishery landed 4,858 lbs over the revised quota this amount was taken from the summer all depth.
- The initial Summer all-depth season quota was 47,639 lbs, which was revised by the inside 40-fathom overage. The Summer all-depth fishery was open August 3, 4, 17, 18, and resulted in an estimated catch of 42,853 lbs. The fishery was closed on August 18.
- This resulted in a 4,786 lbs underage for the central coast fishery. This amount is not enough for one day in the nearshore fishery at this time.
- The remaining Central coast quota was allocated to the nearshore fishery which reopened on September 24 and is currently open.

#### **South of Humbug Mountain, Oregon and off the California Coast Subarea**



This sport fishery was allocated 6,056 lbs (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.

- This season is scheduled to remain open through October 31. No total catch estimates are available for this fishery.

### **TRIBAL FISHERIES**

A sub-TAC of 346,150 lbs (35% of the Area 2A TAC) was allocated to tribal fisheries. The tribes estimated that 24,500 lbs would be used for ceremonial and subsistence (C&S) fisheries and the remaining 321,650 lbs were allocated to the commercial fishery. The 2012 management plan was based on a court-order, to use the 2000 season plan, updated to reflect the current allocation and management measures. It contains provisions for both unrestricted fisheries with no landing limits and restricted fisheries with limits as well as a late season fishery or mop-up fishery that can be set up to have no landing limits or with limits, toward the end of the season.

The restricted fishery began at noon on March 17 and lasted 55 hours. This fishery was managed with a landing limit, set at 500 lbs/vessel/day. The restricted fishery landed 66,952 lbs in 269 landings.

The unrestricted fishery began at noon on March 24 and lasted 48 hours. There was a total of 155,517 lbs taken in 225 landings during the unrestricted fishery.

A late season fishery (mop-up fishery) took place beginning at noon on May 2 and continued for 13 hours. The late season fishery was set up with no landing limits. The fishery landed 132,592 lbs in 121 landings.

In all, treaty tribal fisheries harvested 355,061 lbs in 615 landings. This was an overage of 33,411 lbs above the commercial allocation. The C&S fishery will continue through December 31 and tribal estimates of catch will be reported by the tribes in January 2013.

Fishery	Dates Held	Pounds Landed	# of Landings
Unrestricted	March 24-28 (48 hr.)	155,517 lbs	225 landings
Restricted, 500 lbs/vessel/day	March 17-19 (55 hr.)	66,952 lbs	269 landings
Mop Up	May 2 (13 hr.)	132,592 lbs	121 landings
Total		355,061 lbs	615 landings

2012 Area 2A TAC and Catch (in pounds)						
	Quota	Inseason Revised Quota		Catch		% of Quota Taken
TRIBAL INDIAN	346,150			355,061		102.6
Commercial	321,650			355,061		110.4
Ceremonial and Subsistence	24,500				%	0.0
NON-TRIBAL	642,850			570,332		88.7
COMMERCIAL	203,783			219,116		107.5
Troll	30,568			35,255		115.3
Sablefish incidental	21,173			4,861	%	23.0
Directed	173,216			179,000		103.3
SPORT	419,412			343,366		81.9
WA Sport	214,110			147,946		69.1
OR/CA Sport	203,783			187,570		92.0
WA Inside Waters	57,393				*	0.0
WA North Coast	108,030			105,479		97.6
WA South Coast	42,739			42,467		99.4
Columbia River	11,895			7,850	%	66.0
Early Season	9,516			6,499		68.3
Late Season	2,379	5,396		1,351		25.0
OR Central Coast	203,783			187,570		92.0
Inside 40 fathoms	23,014	37,800		33,448		88.5
Spring (May-June)	120,821			111,269		92.1
Summer (August- October)	47,945	47,639		42,853		90.0
OR S. of Humbug/CA	6,056				%	0.0
<b>TOTAL</b>	<b>989,000</b>			<b>925,393</b>		<b>93.6</b>
\$ Assumed						
* Complete data not available						
% This fishery is ongoing						

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2013 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) solicited public comment on the Pacific Fishery Management Council (PFMC) approved proposals for changes to the Pacific Halibut Catch Sharing Plan (CSP) for fisheries in 2013. To gather public input on proposals, ODFW hosted public meetings in Newport (Sept. 24) and Brookings (Sept. 25) and used an online survey for those who could not attend the public meetings; 214 people took the online survey. Anglers were limited to providing input on fisheries they currently participate in or plan to in 2013 (survey questions were conditional upon responses). For example, anglers were asked if they fish or plan to fish the Columbia River Sub-area, and if they answered no, then they did not receive questions about that sub-area. Input was focused on the specific items put forward by PFMC in September, with some additional input on things to look at for the future.

### Proposed Changes to the CSP:

#### Columbia River Subarea

##### *Spring all-depth open days per week*

**Status quo:** Thursdays-Saturdays

**Proposed:** Fridays-Sundays

In 2012, the spring fishery closed by regulation prior to the allocation being harvested, the remaining allocation was transferred into the summer season. Changing the open days each week from Thursday through Saturday to Friday through Sunday is intended to allow for more fishing opportunity on weekend days, when effort is usually higher. Additionally, this change would make the days open each week consistent between the spring and summer season.

In order to provide opportunity to the most people in that area, **ODFW recommends changing the days of the week for the spring fishery to Friday through Sunday.** No input was received from Oregon anglers that fish the Columbia River Sub-area at public meetings and there was not clear opposition from the 16 survey participants that indicated they fished or intended to fish the area in 2013.

##### *Remove the spring all-depth regulatory closure*

**Status quo:** closes 3<sup>rd</sup> Sunday in July if quota has not been attained

**Proposed:** remain open until summer all-depth season begins if sufficient quota

In 2012, the spring season allocation was not reached prior to the regulatory closure of the 3<sup>rd</sup> Sunday in July, resulting in 2 weeks being closed to fishing, prior to the start of the summer season. The remaining allocation from the spring season was rolled into the summer season.

This change would keep the spring season open longer, if allocation remains, providing more opportunity to fully attain the spring allocation.

Sixty nine percent of survey participants that fish the Columbia River Sub-area supported removing the regulatory closure date. **Therefore, based on the survey support and the rationale above, ODFW recommends removing the provision that closes the spring season on the 3<sup>rd</sup> Sunday of July.**

## **Central Coast Subarea**

### **Reduce the open days per week in the nearshore fishery**

**Status quo: 7 day per week**

**Proposal: 3 day per week (Thursdays-Saturdays)**

The nearshore fishery has closed in July each year since 2009 due to attainment of quota, but in prior years was generally open until the regulatory closure date (October 31; early closures were due to overages from other fisheries). The vast majority of comments received in recent years (since 2009) have regarded taking actions to ensure that the nearshore fishery lasts at least through the summer (i.e., end of August or Labor Day), if not all the way until October 31.

There has been substantial growth each year in the nearshore fishery since 2009, which is best described by fitting cumulative harvest curves by week for each year and comparing the slopes (Figure 1). If the same level of growth continues, and the quota and season structure remains the same as in 2012, the fishery is projected to last only five-and-a-half weeks in 2013 and four weeks in 2014.

Some anglers are concerned that a reduction in the number of days per week could result in underutilization of the quota if the fish become more difficult to catch (lesser catch rates), which they claim has been the norm historically. If halibut fishing is slow, then harvest rates would decrease and associated effort could decrease.

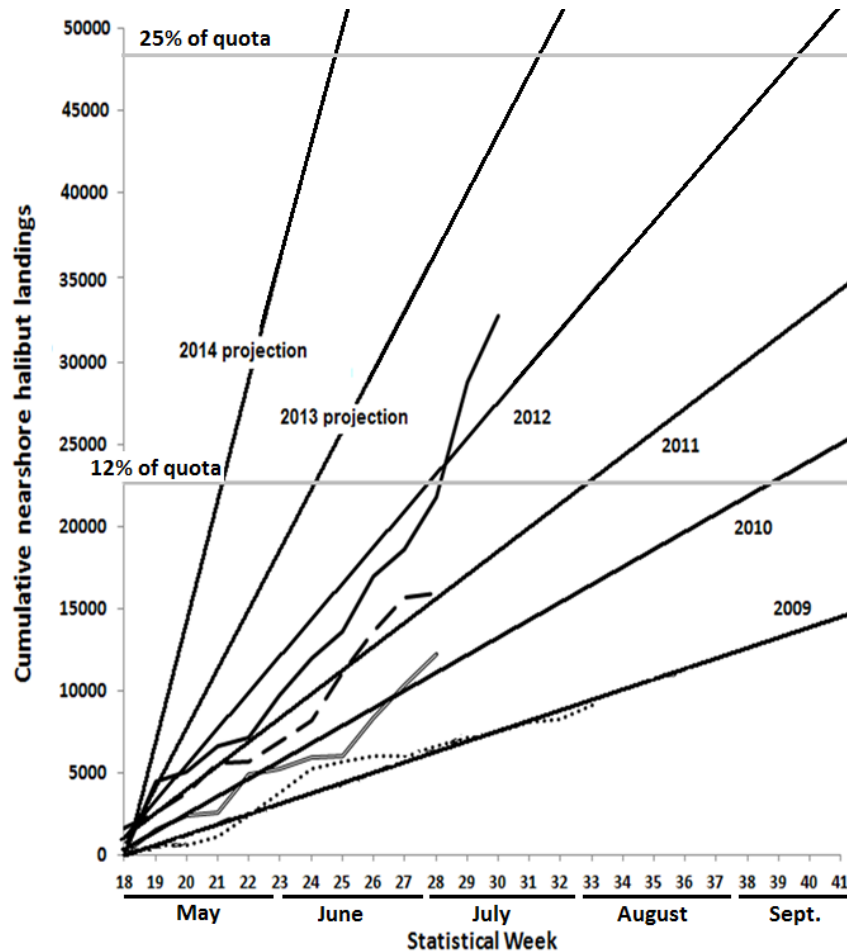


Figure 1. Projected season lengths if the annual growth in the nearshore fishery remains the same as the last several years.

To increase the length of the nearshore season, **ODFW recommends reducing the number of open days per week in the nearshore fishery from seven to three (Thursday through Saturday)**. A slim majority of anglers at the public meetings, and who participated in the online survey (57 percent) favored this change, if it will provide fishing opportunities later into the summer months. Substantial annual growth in the nearshore fishery (pounds per week) has been due to increases in weekly effort; therefore, a reduction in the number of open days per week should reduce weekly effort and thus allow the season to last longer.

Additionally, if the nearshore quota is not projected to be attained with a three day per week season structure, **ODFW, in consultation with the National Marine Fisheries Service (NMFS) and the International Pacific Halibut Commission (IPHC) will examine the fishery progress on or after 15 August to determine if the number of open days may be increased.**

### **Fishery allocations**

**Status quo: 63% spring all-depth; 25% summer all-depth; 12% nearshore**

**Proposed: 75% spring all-depth; 0% summer all-depth; 25% nearshore, triggered by 2A TAC of 700,000 pounds**

A slim majority of online survey participants (56 percent) favored transferring the summer all-depth fishery quota to the spring all-depth and nearshore fisheries given current TAC levels. Those opposed to change were very strongly against it, whereas those in favor were relatively impartial. One of the primary rationales of those supporting change was to increase the nearshore fishery season length by increasing the nearshore quota, and ODFW believes the best way to increase the season length is to reduce the number of open days per week. If the nearshore fishery continues to grow at the same rate as it has since 2009 (Figure 1), in terms of weekly harvests, then the amount of quota projected to keep the fishery open throughout summer would cause major disruptions to the all-depth fisheries. Other rationales include lesser yelloweye rockfish to halibut ratios for the spring all-depth fishery than the summer all-depth fishery and fewer non-halibut fishing opportunities during months when the spring all-depth fishery occurs than during summer months.

Additionally, based on information received at the 2012 IPHC Annual Meeting concerning the retrospective analysis and the potential for significant reductions in the harvest rates, ODFW sees the need to plan for reductions in the overall 2A TAC. Given recent years' harvest rates in the summer all-depth fishery (up to 17,000 pounds per day), a minimum of 34,000 pounds is necessary for that fishery to have one two-day opening. Any quota amount less than that would result in a season of one day or less, which is not possible to manage and does not provide a meaningful season to the public. Under the current allocation structure a total 2A TAC of 700,000 pounds results in the Central Oregon Coast Sub-area summer all-depth fishery having a quota of approximately 34,000 pounds.

**Therefore, ODFW recommends including a total 2A TAC trigger of 700,000 pounds to reallocate the summer all-depth quota to the spring all-depth (75 %) and nearshore (25 %) fisheries. At any 2A TAC above 700,000 pounds, status quo allocation remains.**

### **Incidental Troll Salmon Fishery**

Since the September 2012 PFMC meeting, ODFW consulted with NMFS about the best way to implement the intent of the request to allow retention of incidentally caught halibut in the salmon troll fishery beginning April 1 (Agenda item F.2.c, Public Comment, September 2012). Regulations governing incidental halibut retention the salmon troll fishery are in both the salmon and halibut regulations, which are on different timing schedules. Halibut regulations referencing the "May/June" salmon troll fishery would need to be amended to incorporate April, during the 2013 halibut CSP process. Final action will be taken at this meeting. Additionally, in March the salmon regulations would need to be modified. ODFW will continue to work with NMFS on how and when to modify the salmon regulations over winter. In the interim, **ODFW recommends changing the halibut CSP language to allow incidental catch in the salmon troll fishery beginning in April 1 to better align with salmon seasons.**

## The proposed language modifications for the CSP are as follows:

### (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 **April-June** ~~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 adjustment 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 April-June ~~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 April-June ~~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.

-----

(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.

(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 an amount equal to the contribution from the Washington sport allocation from the Oregon/California sport allocation. This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on the first ~~Thursday~~ Friday in May or May 1 if it is a ~~Friday or Saturday~~ or Sunday, 3 days per week, ~~Thursday through Saturday~~ Friday through Sunday until 80 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 onboard 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. **If the overall 2A TAC is 700,000 pounds (317.5 mt) or greater,** ~~t~~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.~~ **If the overall 2A TAC is less than 700,000 pounds (317.5 mt), the structuring objectives for this subarea are to provide a period of fishing opportunity beginning in Spring in productive deeper water areas along the coast, and provide a period of fishing opportunity in nearshore waters.** Any poundage remaining unharvested in the Spring all-depth subquota will be added to either the Summer all-depth sub-quota or the nearshore subquota based on need, determined via joint consultation between IPHC, NMFS and ODFW. **If the 2A TCA exceeds 700,000 pounds,** ~~a~~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 660.70 (f) and will be described 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 (**nearshore fishery**) opens on **the first Thursday in May or May 1 if it is a Friday or Saturday, 3 days per week, Thursday through Saturday,** only in waters inside the 40-fathom (73 m) curve. **The fishery continues daily until the subquota (12 percent of the subarea quota if the 2A TAC is 700,000 pounds (317.5 mt) or greater, 25 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt)) 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. On or after August 15, the IPHC, NMFS, and ODFW will consult to determine whether increasing the inside of 40-fathom fishery open days per week is warranted, with the intent that the subquota for the inside 40-fathom fishery is taken by October 31.**

- B. The second season (**Spring fishery**) is an all-depth fishery with two potential openings and is allocated 63 percent of the subarea quota **if the 2A TAC is 700,000 pounds (317.5 mt) or greater, or 75 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt)**. 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 **if the 2A TAC is 700,000 pounds (317.5 mt) or greater. If the 2A TAC is less than 700,000 pounds (317.5 mt) the fishery will continue until there is insufficient quota for an additional day of fishing or October 31, whichever is earlier.**
- C. The last season (**Summer fishery**) is an all-depth fishery that begins on the first Friday in August and is allocated 25 percent of the subarea quota **if the 2A TAC is 700,000 pounds (317.5 mt) or greater. If the 2A TAC is less than 700,000 pounds (317.5 mt) then 0 percent of the subarea quota will be allocated to this season.** The fishery will be structured to be open every other week on Friday and Saturday 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 and Saturdays 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 and Saturday (versus every other Friday and Saturday), 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 and Saturday, the fishery will re-open on every Friday and Saturday (versus every other Friday and Saturday), 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.

GROUND FISH ADVISORY SUBPANEL REPORT ON  
2013 PACIFIC HALIBUT REGULATIONS

The Groundfish Advisory Subpanel (GAP) considered proposed alternatives submitted by The Oregon Department of Fish and Wildlife (ODFW) and The Washington Department of Fish and Wildlife (WDFW) to the Pacific halibut catch sharing plan and the current regulations for the halibut fishery in International Pacific Halibut Commission (IPHC) area 2A. A presentation was given to GAP members by representatives from ODFW and WDFW.

**GAP Recommendations:**

The GAP supports the recommended alternatives in the ODFW and WDFW reports.

**GAP Comments:**

There was some confusion regarding the greater than 700,000 pound total allowable catch trigger to status quo for the Oregon central coast subarea. It is assumed by the GAP that status quo is the three day a week opening for the nearshore fishery and below 700,000 pounds would be seven days.

The GAP realizes that the proposal to align the opening dates for the salmon troll incidental halibut fishery will involve somewhat complex processes. It may not be possible to complete the process for 2013, however, the GAP recommends pursuing the changes to happen as soon as possible.

The GAP supports another proposed action to allow halibut retention beginning April 1 in the sablefish fishery north of Point Chehalis. The GAP discussed the suggestion by the IPHC to move the date when IPHC issues licenses to March 15. This would not be a problem for the vessel operators. Once again, the GAP prefers that the changes be in place for April 1, 2013, and if not possible, in time for the fishery in 2014.

Finally, the GAP recognizes that the proposed new format for the IPHC (Agenda Item E.1.a, Supplemental Attachment 4) could improve the process. The GAP encourages the Council to support this process and lend advice and expertise whenever possible.

COMMISSIONERS:

JAMES BALSIGER  
JUNEAU, AK

DAVID BOYES  
COURTENAY, B.C.

RALPH G. HOARD  
SEATTLE, WA

PHILLIP LESTENKOF  
ST. PAUL, AK

MICHAEL PEARSON  
OTTAWA, ON

# INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA

AND THE UNITED STATES OF AMERICA

DIRECTOR  
BRUCE M. LEAMAN

2320 W. COMMODORE WY, STE 300  
SEATTLE, WA 98199-1287

TELEPHONE:  
(206) 634-1838

FAX:  
(206) 632-2983

Agenda Item E.1.b

Supplemental IPHC Report 1

November 2012

October 22, 2012

Mr. Dan Wolford, Chairman  
Pacific Fishery Management Council  
7700 N.E. Ambassador Place, Suite 101  
Portland, Oregon 97220-1384

Re: Agenda Item E.1.d – Pacific Halibut Management Catch Sharing Plan

Dear Chairman Wolford:

The staff of the International Pacific Halibut Commission (IPHC) has reviewed the ODFW report that recommends changing the Catch Sharing Plan (CSP) to allow the incidental catch of halibut in the salmon troll fishery to begin on April 1 instead of May 1 to better align with salmon seasons. In addition, we have considered the recommendation that allows incidental catch of halibut in the sablefish fishery north of Point Chehalis, Washington to begin on April 1 instead of May 1. We offer the following comments and recommendations which relate to the current vessel licensing requirements, which IPHC does for determining the directed fishery fishing period limits and in response to the Council's request as part of the CSP. As background all Area 2A non-tribal vessels fishing sport charter or commercially for halibut are required to be licensed by IPHC.

## **Incidental Halibut Catch in the Salmon Troll Fishery**

Currently, fishers wishing to retain incidental halibut catch in the salmon troll fishery must have the application for the IPHC vessel license to retain halibut in this fishery postmarked no later than March 31, or the first day in April if March 31 is a Saturday or Sunday. This is necessary to provide managers and enforcement agencies with accurate license counts to assist with determining landing restrictions (ratio of halibut to salmon retained) and to assist enforcement of the fishery. **If the Council changes the opening date to April 1, the IPHC staff recommends that the application for the IPHC vessel license to retain halibut in the salmon troll fishery be postmarked no later than March 15, or the first week day following March 15 if March 15 is a Saturday or Sunday.**

## **Incidental Halibut Catch in the Sablefish Fishery**

In reviewing the recommendation for the incidental halibut catch with the sablefish fishery north of Point Chehalis, the Council should be aware that IPHC issues a single license to vessels operating in two fisheries: the sablefish fishery, and the directed commercial halibut fishery. Currently, fishers operating in these two fisheries must have the application for the IPHC vessel license postmarked no later than April 31, or the first day in May if April 31 is a Saturday or Sunday. **If the Council changes the opening date to April 1 as proposed, the IPHC staff recommends that two separate IPHC vessel licenses be established, i.e., one for each fishery.** This will allow for separate license application deadline dates. **The deadline date for the license application for the directed halibut fishery will remain unchanged. The IPHC license for incidental catch of halibut in the sablefish**

**fishery north of Point Chehalis would have a new deadline date: the application would need to be postmarked no later than March 15, or the first week day following March 15 if March 15 is a Saturday or Sunday.** All other licensing restrictions would remain the same. The March 15 application deadline date for the incidental halibut in the sablefish fishery would require that fishers obtain a license prior to the fishery opening. The splitting of the licenses allows the directed fishery to continue as it currently does and would not unduly burden those fishers with an early (March 15) deadline date.

We also suggest that if the deadline dates are changed, strong outreach by all agencies, PFMC, ODFW, WDFW, NMFS and IPHC, will be necessary to inform the affected fishers. **The IPHC does not have an appeals process, so licenses are not issued if deadlines are missed.** Even with unchanged deadline dates fishers miss the deadline every year.

We recognize that IPHC issues the license but point out that the CSP does incorporate commercial license restrictions/declarations. These recommendations have been discussed with staffs from NMFS and state agencies. We would be pleased to answer any questions relative to these recommendations and staff contact for questions is Heather Gilroy ([heather@iphc.int](mailto:heather@iphc.int) or (206) 634-1838 ext. 7666.)

Sincerely,

A handwritten signature in black ink, appearing to read "B. Leaman", with a stylized, cursive script.

Bruce M. Leaman  
Executive Director

cc: IPHC Commissioners

SALMON ADVISORY SUBPANEL REPORT ON 2013 PACIFIC HALIBUT  
REGULATIONS

The Salmon Advisory Subpanel (SAS) met via teleconference on October 29, 2012 to review proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan (CSP) (Agenda Item E.1.a, Attachment 1). The SAS members in attendance were supportive of the following proposals with one abstention.

Allow retention of incidentally-caught Pacific halibut in the commercial salmon troll fishery beginning April 1. The SAS would also be supportive of changing the deadline for acquiring International Pacific Halibut Commission licenses to March 15 rather than the current March 31 to accommodate the April 1 start date for incidental retention. The SAS requests that the International Pacific Halibut Commission and the States assist in notifying the fleet if these changes are adopted.

PFMC  
11/02/12

## WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE CATCH SHARING PLAN AND 2013 ANNUAL REGULATIONS

The Washington Department of Fish and Wildlife (WDFW) held a recreational halibut meeting to discuss proposed changes to the Pacific Fishery Management Council's Catch Sharing Plan for 2012, in Montesano, on September 30, 2012. No additional meetings were held to refine the proposals adopted for public review since they reflected the input received from stakeholders in September.

We recommend the following changes to the Pacific halibut Catch Sharing Plan for 2013, section (f) SPORT FISHERIES. These changes are consistent with those adopted by the Council for public review.

### **Columbia River Sub-Area**

For this sub-area implement the following changes:

1. Revise the early season structure to keep the early season open until 80 percent of the subarea allocation is reached, removing the provision that would close the early season on the third Sunday in July.

Rationale: In recent years, the early season quota has not been reached prior to the closure in July resulting in a transfer of the remaining early season quota to the late season and therefore, by default increasing late season quota above what is intended in the CSP. This change would keep the season open longer providing more opportunity to access the early season quota and would preserve the 80 percent allocation to the early season by maintaining the provision to close the early season once that set aside has been reached.

2. Revise the days of the week that the early season is open from Thursday through Saturday to Friday through Sunday.

Rationale: This change would allow for more fishing opportunity on weekend days and during the early season where the early season catch has been coming in below the set aside. In addition, this would make the days of the week that the fishery is open consistent between the early and the late seasons. If the first proposal is adopted and the early season set aside (80 percent of the subarea allocation) is not caught prior to the opening of the late season, the fishery would be able to continue on the same days of the week with the remaining quota available for the late season fishery.



(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.

(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 an amount equal to the contribution from the Washington sport allocation from the Oregon/California sport allocation. This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on the first ~~Thursday-Friday~~ in May or May 1 if it is a ~~Friday or Saturday, or Sunday~~, 3 days per week, ~~Thursday through Saturday Friday through Sunday~~ until 80 percent of the subarea allocation is taken, ~~or until the third Sunday in July, whichever is earlier~~. The fishery will reopen on the first Thursday 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 onboard the vessel.