

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2016 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) solicited public input via e-mail, phone, and public meetings to discuss proposed changes to the Pacific halibut (halibut in remainder of report) Catch Sharing Plan (CSP) for fisheries off of Oregon in 2016. The public meetings occurred on August 3 in North Bend (Coos Bay), and August 4 in Newport, which was also available as a webinar. Prior to the public meetings, ODFW also met with the Sport Advisory Committee (SAC), a thirteen member advisory body consisting of private anglers, charter captains, port officials, and other fishing related businesses, to gather their input. Based on SAC and public input, ODFW recommends the Pacific Fishery Management Council (Council) approve the following alternatives for public review:

Columbia River Subarea

All-Depth Season Open Dates

The Columbia River Subarea all-depth season is currently limited to four days per week, Thurs-Sun. During the public input process, ODFW received a proposal to increase the days open per week to seven. The all-depth fishery would open May 1, seven days per week until the all-depth allocation was taken.

Alternatives

Status Quo: season is open 4 days per week, Thurs-Sun

Alternative 1: season is open 7 days per week

Rationale

Prior to 2015 the Columbia River Subarea all-depth fishery was broken into two seasons, spring and summer, with individual allocations. Beginning in 2015, the all-depth fishery was combined into one season opening May 1, four days per week (Thurs-Sun) until the quota was caught or September 30. In recent years, the summer all-depth season had closed on the regulatory date of September 30, with quota remaining. In 2015, the combined all-depth fishery closed on June 3, at which time there was not enough quota remaining for additional open days. Input ODFW received about the 2015 season is that the weather in May was perfect and led to greater effort and catches than would normally be expected.

Central Coast Subarea

Seasons and allocations

The Central Oregon Coast Subarea is currently broken into a nearshore, a spring all-depth, and a summer all-depth season. ODFW received a proposal during the public input process regarding

the summer all-depth season, reallocating the summer all-depth allocation 75 percent to the spring all-depth season and 25 percent to the nearshore season.

Alternatives

Status Quo: The Central Oregon Coast Subarea allocations are 12 percent for the nearshore, 63 percent for the spring all-depth, and 25 percent for the summer all-depth.

Alternative 1: The summer all-depth allocation would be reallocated 75 percent to the spring all-depth and 25 percent to the nearshore. The Central Oregon Coast allocations would then be 81.75 percent for the spring all-depth and 18.25 percent for the nearshore. There would then be no summer all-depth season.

Rationale

The Central Oregon Coast Subarea is currently divided into three seasons (nearshore, spring all-depth, and summer all-depth) to provide a variety of halibut fishing opportunities. The summer all-depth season was set up to allow for all-depth halibut fishing later in the summer, when the weather is often better and more families have vacation time. Since 2009, the summer all-depth season has lasted 2-4 days. This has been due to a combination of good weather and opportunities to also catch other species, such as albacore tuna, encouraging more participation.

During the summer all-depth season, encounters with yelloweye rockfish have been reported to be higher than during the spring all-depth season. This may be due to a combination of the yelloweye rockfish being either more prevalent in the area, more “on the bite”, or with short seasons, anglers may not be as willing to move from known halibut grounds when they do encounter yelloweye rockfish.

Most regulations and restrictions in Oregon recreational halibut and bottomfish fisheries are designed to minimize impacts to yelloweye rockfish, an overfished species. The current bycatch mortality of yelloweye rockfish from bottomfish and halibut fisheries combined is annually very close to the yelloweye rockfish limit for Oregon recreational fisheries. Even a slight increase to those impacts has the potential to require additional restrictions, or possible closure of Oregon recreational bottomfish or halibut fisheries. This has led to some questioning if a couple days of summer all-depth halibut fishing are worth risking additional restrictions, or one or more months of closure of the bottomfish fishery.

This proposal was supported by ODFW’s SAC, and garnered enough discussion at both public meetings that ODFW staff believes it is worth including for further consideration.

Nearshore Season

The Central Oregon Coast nearshore fishery currently opens July 1. ODFW received a proposal to move the start date back to May 1, as it was prior to 2014. The fishery would remain open seven days per week until October 31, or the quota is attained.

Alternatives

Status Quo: The Central Oregon Coast Subarea nearshore fishery opens July 1, seven days per week until October 31, or quota attainment.

Alternative 1: The Central Oregon Coast Subarea nearshore fishery opens May 1, seven days per week until October 31, or quota attainment.

Alternative 2a: The Central Oregon Coast Subarea nearshore fishery opens May 1, seven days per week until October 31 or quota attainment, with 75 percent of the nearshore allocation. 25 percent of the nearshore fishery allocation will be set-aside and available beginning July 1.

Alternative 2b: The Central Oregon Coast Subarea nearshore fishery opens May 1, seven days per week until October 31 or quota attainment, with 50 percent of the nearshore allocation. 50 percent of the nearshore fishery allocation will be set-aside and available beginning July 1.

Rationale

Prior to 2013, the nearshore fishery opened May 1, seven days per week through October 31, or quota attainment. In 2009, the quota was attained and the fishery closed on August 16; in 2010 July 17; in 2011 July 5; and in 2012 July 22. The early closures led to the days of the week in 2013 being limited to try to spread the nearshore fishery out across more months. That did not work, and 2013 actually had the fewest days open for the nearshore season, as it created sort of a derby mentality. For 2014, the nearshore fishery went back to being open seven days per week, with the opening delayed until July 1. The intent was to have the nearshore fishery occur more in the middle summer months. Additionally, with all-depth seasons occurring in May, June and August, having the nearshore fishery open in July allowed for some halibut fishing opportunities in the four peak recreational fishing months off of the Oregon coast. The 2014 nearshore fishery had good effort and catches the first two weeks, then slowly declined. Anglers out of some ports reported that they were unable to find halibut in the nearshore areas they normally fished in May and June. The 2014 nearshore fishery closed, with 6,150 pounds of allocation unharvested. So far the 2015 nearshore fishery is very similar to the 2014 fishery.

In May, in Oregon, bottomfish and halibut are normally the only marine recreational fisheries open, whereas in July and August there are also salmon and tuna opportunities. Moving the start date back to May 1 will allow for additional halibut fishing opportunities during a time when there isn't much else to fish for. Participants in the public meetings were in favor of this, even with the understanding that the nearshore fishery could meet its quota and close by late June or early July.

During the Newport public meeting, following up on the discussion of the May 1 start date, there was an additional proposal to split the nearshore fishery into two seasons. The main nearshore season would open May 1, seven days per week. A specified amount of nearshore fishery allocation would be set-aside to become available July 1. The nearshore fishery would open May 1, seven days per week, and if quota for that portion is attained prior to July 1, the early nearshore fishery would close. The nearshore fishery would then reopen for a late season with the allocation set-aside, and would run seven days per week until October 31, or quota attainment. If the nearshore fishery that opens May 1 has not attained its allocation by July 1, the July 1 set-aside would be added to the remaining allocation, and the fishery would continue uninterrupted until October 31, or quota attainment. The intent of this split season is to compromise between those who prefer fishing in May-June and those who prefer July-September. Additionally, this will spread halibut fishing opportunities out.

Southern Oregon Subarea

Retention of Other Species

Current rules prohibit retention of groundfish outside of 30 fathoms when fishing for halibut in the Southern Oregon Subarea. The purpose of the rule is to reduce yelloweye rockfish discard mortality from the all-depth halibut fishery. If halibut anglers were permitted to retain groundfish associated with deep reef habitats (e.g., lingcod and shelf rockfish species), they would be expected to intentionally target deep reefs in order to catch these groundfish species during their halibut trip, which could increase encounters with yelloweye rockfish.

However, the current rule excludes halibut anglers from retaining bycatch of groundfish species that have healthy populations and are not associated with deep reef habitat (e.g., flatfish species). Since the purpose of this rule is to dissuade targeting of deep reefs, modifying the current rule to allow species not associated with those deep water reefs would increase harvest opportunities with little risk of increasing yelloweye rockfish discard mortality.

Alternatives

Status Quo: When fishing for Pacific halibut, bottomfish species may not be taken outside of 30 fathoms.

Alternative 1: Allow retention of other species of flatfish, Pacific cod, and sablefish outside of 30 fathoms, when fishing for halibut.

Rationale

Retention of Pacific cod and sablefish has been allowed for several years in other Oregon subareas on all-depth days. Beginning in 2015 retention of other species of flatfish was also allowed. Alternative 1 would provide for consistent regulations on what other species may be retained across all Oregon Subareas. Yelloweye rockfish discard mortality is expected to be the same because the alternative still prohibits the take of deep reef associated groundfish (i.e., rockfish species and lingcod), thereby reducing the incentive for halibut anglers to target groundfish over deep reefs before or after halibut fishing.

Additional Proposals

Additional proposals received from the public but not forwarded for consideration are included in the Appendix, along with rationale on why they were not forwarded.

Catch Sharing Plan Language

ODFW has cleaned-up some language in the Catch Sharing Plan, concerning the allocations to Oregon Subareas (see Attachment). This is not an allocation change, just condensing a two-step calculation into one step. However due to the range of alternatives presented above, ODFW does not have proposed changes to the language in the Catch Sharing Plan for the above items. As the range of alternatives is finalized, ODFW will draft the appropriate language revisions to the Catch Sharing Plan, in consultation with staff at the National Marine Fisheries Service (NMFS) West Coast Region.

Appendix: Additional Proposals Received but not Forwarded for Consideration at this Time

1. Issue Tags for Individual Pacific Halibut, Similar to Big Game Tags

Comments are regularly received by ODFW about the possibility of issuing tags for individual Pacific halibut, based on a manner similar to the management of big game hunting. In other words, to change the recreational halibut fishery from open access to a limited permit fishery. By converting to tag based management, anglers believe they would have a guaranteed opportunity to harvest halibut as well as have greater flexibility regarding when they choose to fish for halibut, which might alleviate the derby mentality that currently exists on some all-depth days.

While there could be advantages to a tag based system, there are also potential drawbacks that would be disadvantageous to halibut anglers, and there would certainly be numerous issues that would have to be resolved in order to convert to a tag based system. For example, one significant challenge would be that halibut, unlike salmon or big game, are managed in pounds of net weight, not number of fish. Determining the correct number of tags to issue would be highly dependent on projecting the average weight of landed fish (which is variable from year to year), and would likely need to include buffers to prevent exceeding the quota. Regardless of the pros and cons, creation of a tag system similar to big game hunting tags, is under the jurisdiction of the Oregon Fish and Wildlife Commission, and is not applicable to the annual halibut Catch Sharing Plan process.

2. Size Limits

ODFW regularly receives comments concerning size limits, both minimum and maximum, for the recreational halibut fishery. Some anglers believe that the average size of halibut being caught is getting smaller, and are concerned that it is affecting the stock. Some anglers also believe that size limits will slow the pace of the fishery, extending the season duration. Minimum size limits are used in many fisheries to ensure that individual fish have at least one opportunity to spawn before being susceptible to the fishery. Maximum size limits are used in some fisheries to try to protect large breeding females. Based on recent information from stock assessments conducted by the International Pacific Halibut Commission (IPHC)¹, halibut are smaller at age now than they were 20 years ago. Additionally, many males are not reaching 32 inches (the minimum size limit in the commercial fishery, and often suggested as a recreational minimum size).

Figure 1 shows the annual average weight of halibut landed from the Oregon recreational fishery and the IPHC stock assessment survey since 2001. Average weight is being used as a proxy for fish size, to show general trends. Prior to 2005, there had been a minimum size limit, and during some years a maximum size limit. Since the minimum size limit was removed in 2005, there were two years when the average weight of halibut from the recreational fishery dipped below 15

¹http://www.iphc.int/publications/bluebooks/IPHC_bluebook_2015.pdf

pounds, and one year from the survey catch. However, the last several years, the average size has been between 15 and 16 pounds, with the exception of 2011 when it was 17 pounds.

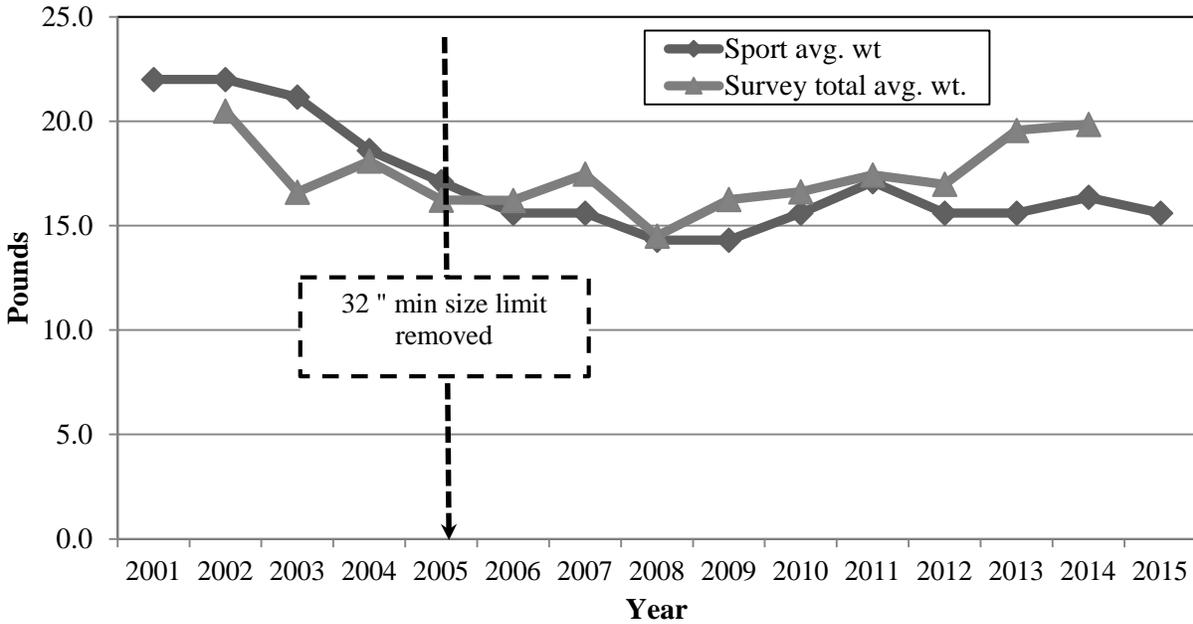


Figure 1. Average size (in pounds) of halibut from the Oregon recreational fishery and the IPHC stock assessment survey 2001-2015.

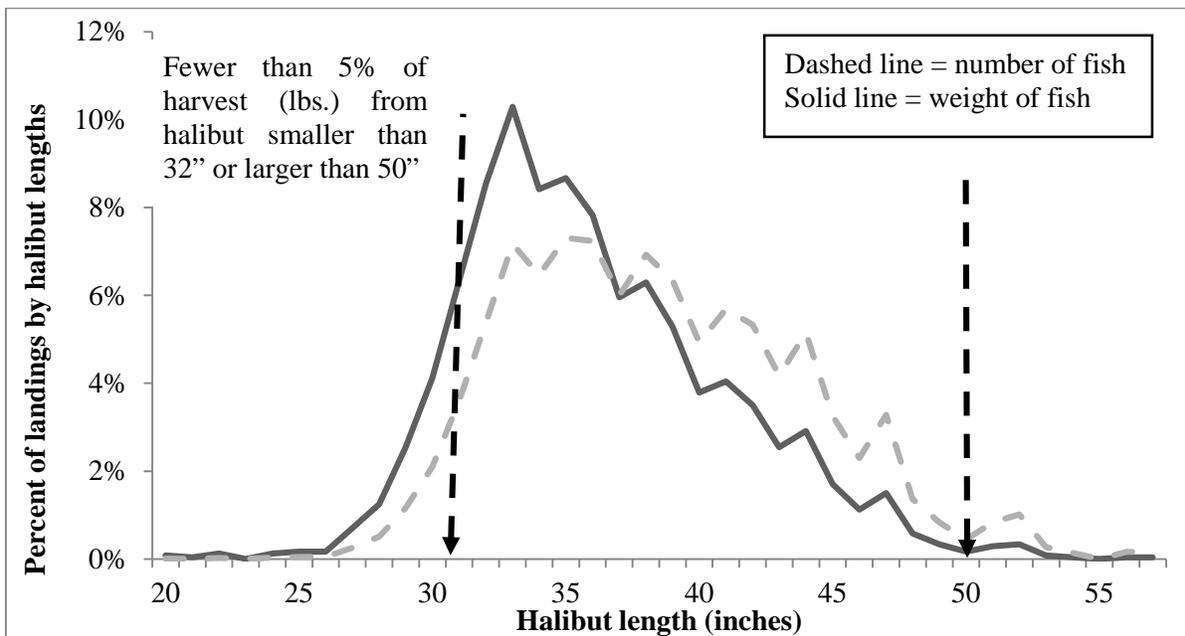


Figure 2. Percentage of landed halibut by fish length, in terms of number of fish and weight of fish.

Figure 2 shows the percentage of halibut landed both in terms of pounds of halibut and numbers of halibut by fish length. Less than 5 percent of pounds of halibut landed come from fish less

than 32 inches. Similarly, less than 5 percent of the poundage of halibut landed comes from fish greater than 50 inches. Therefore there would be minimal impact to the pace of the fishery.

3. Allow Retention of Bottomfish on All-Depth Days, When Back Inside the Bottomfish Management Restriction Line

Over the last couple of years, several comments have been received requesting that on all-depth halibut days anglers be allowed to stop inside the open area for bottomfish and fish for and retain bottomfish. The reason for the request is to allow for retention of more species on the same trip, rather than having to make separate trips for bottomfish and halibut. While there might be some efficiency savings in terms of trips, there is concern about current fishing pressure on the nearshore bottomfish reefs near many ports. Members of the SAC were not supportive of this proposal.

4. Split the Central Oregon Coast Subarea into Smaller Management Units

Comments were received requesting subdivision of the Central Oregon Coast Subarea allocation (all-depth and/or nearshore) into two or more smaller areas.

A split of the Central Coast Subarea has already been tried (1995 through 2003) but was reversed because it failed to increase season lengths in the subarea without Newport. The subarea was split at Florence in 1995 with the objective of increasing season lengths for the southern subarea; Newport is located north of Florence. During the first year of the split, the southern subarea had longer spring all-depth and nearshore seasons than to the north (the summer all-depth fishery was not split). However, seasons thereafter were generally either the same length or shorter to the south due to faster growth in the halibut fisheries in southern ports (Table 1). As a result, anglers from the southern area requested to eliminate the split and recombine the Central Coast Subarea (approved for 2004).

Table 1. Comparison of open days per week and year for spring all-depth and nearshore fisheries for the subareas (North of Florence and South of Florence) when the Central Coast Subarea was split.

Year	<u>Spring All-Depth Days</u>		<u>Nearshore Days Open</u>	
	N of Florence	S of Florence	N of Florence	S of Florence
1995	12	15	37	61
1996	6	9	104	97
1997	8	6	67	60
1998	6	6	91	91
1999	6	6	153	107
2000	5	5		
2001	4	5		
2002	8	8		
2003	9	8		

5. Restrict the Recreational Halibut Fishery to Inside of 50 Fathoms

ODFW received a couple of comments about restricting the recreational halibut fishery to inside of 50 fathoms. The fishery in all subareas would open May 1, seven days per week, only shoreward of a line approximating the 50 fathom curve. The intent of this proposal is to reduce bycatch impacts to yelloweye rockfish, as well as slow the overall pace of the fishery down, letting it last longer through the summer. While this measure could reduce impacts to yelloweye rockfish, as well as simplify the halibut regulations, ODFW has concerns that this will be too restrictive for the halibut fishery, and not allow access to the full allocation. It would cut off many of the traditional fishing locations currently available on all-depth days. Additionally, it would make regulations more complicated by adding one more depth restriction line.

Attachment 1. Draft proposed changes to the Catch Sharing Plan language

The below language only reflects the clean-up portion from the above report. Additional draft language will be included for the November Pacific Fishery Management Council meeting.

(f) SPORT FISHERIES

The non-Indian sport fisheries are allocated 69.3 percent of the non-Indian share, which is approximately 45.0 percent of the Area 2A TAC. The allocation is further divided as subquotas among seven geographic subareas.

- (1) Subarea management. The sport fishery is divided into seven sport fishery subareas, each having separate allocations and management measures as follows.

...

(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 ~~93.79~~ **96** percent of the Oregon sport allocation, **after the allocation to the Columbia River Subarea has been subtracted.** If the overall 2A TAC is 700,000 pounds (317.5 mt) or greater, 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, and provide a period of fishing opportunity in the summer for nearshore waters. 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 TAC exceeds 700,000 pounds, 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, Pacific cod and flatfish species when allowed by groundfish regulations, if halibut are on board the vessel.

...

(vi) Southern Oregon Subarea

This sport fishery is allocated 3.91 ~~4.0~~ percent of the Oregon sport allocation, ~~after the allocation to the Columbia River Subarea has been subtracted.~~ This area is defined as the area south of Humbug Mountain, OR (42° 40.50' N. lat.) to the Oregon/California Border (42° 00.00' N. lat.). This fishery will open May 1, seven days per week until the subquota is taken or October 31, whichever is earlier. The daily bag limit is one halibut per person with no size limit.