

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2020 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) solicited public input via e-mail, phone, a public meeting which was webcast, and an online survey to gather input on the proposed changes to the Pacific halibut (halibut in remainder of report) Catch Sharing Plan (CSP) for fisheries off of Oregon in 2020. The public meeting occurred on October 3 in Newport, with a total of 12 people in attendance. Additionally 90 people provided input via the online survey. Based on public input, ODFW provides the following information for consideration by the Pacific Fishery Management Council (Council) in determining which alternatives to adopt for 2020.

Oregon Coastwide

Allow All-Depth Halibut Fishing and Longleader Gear Fishing on the Same Trip

The longleader gear fishery requires the use of specialized gear designed to fish off the bottom and avoid areas where yelloweye rockfish live (Figure 1). Fishing with this gear is currently allowed at any depth and time of year, including seaward of the 40 fathom seasonal depth restriction, and has a 10-fish bag limit of 10 mid-water rockfish species¹. Anglers have requested that this opportunity be allowed when also participating in the all-depth halibut fishery.

Status quo: Longleader gear fishing not allowed on the same trip as all-depth halibut

Alternative 1: Allow longleader gear fishing on the same trip as all-depth halibut

Rationale

Retention of most species of groundfish is prohibited when participating in the all-depth halibut fisheries to reduce the potential for interactions with and impacts to yelloweye rockfish. Since the longleader gear is specifically designed to avoid yelloweye rockfish and has been demonstrated successful in that goal, allowing it when fishing for all-depth halibut would add little, if any, additional risk to yelloweye rockfish. If halibut fishing is slow, it would allow anglers additional fishing opportunities while they are offshore, with minimal risk of additional yelloweye rockfish impacts. Therefore, **ODFW recommends the Council adopt Alternative 1.**

¹ Yellowtail, widow, canary, redstripe, greenstriped, silvergray, chilipepper, blue, deacon and bocaccio rockfish.

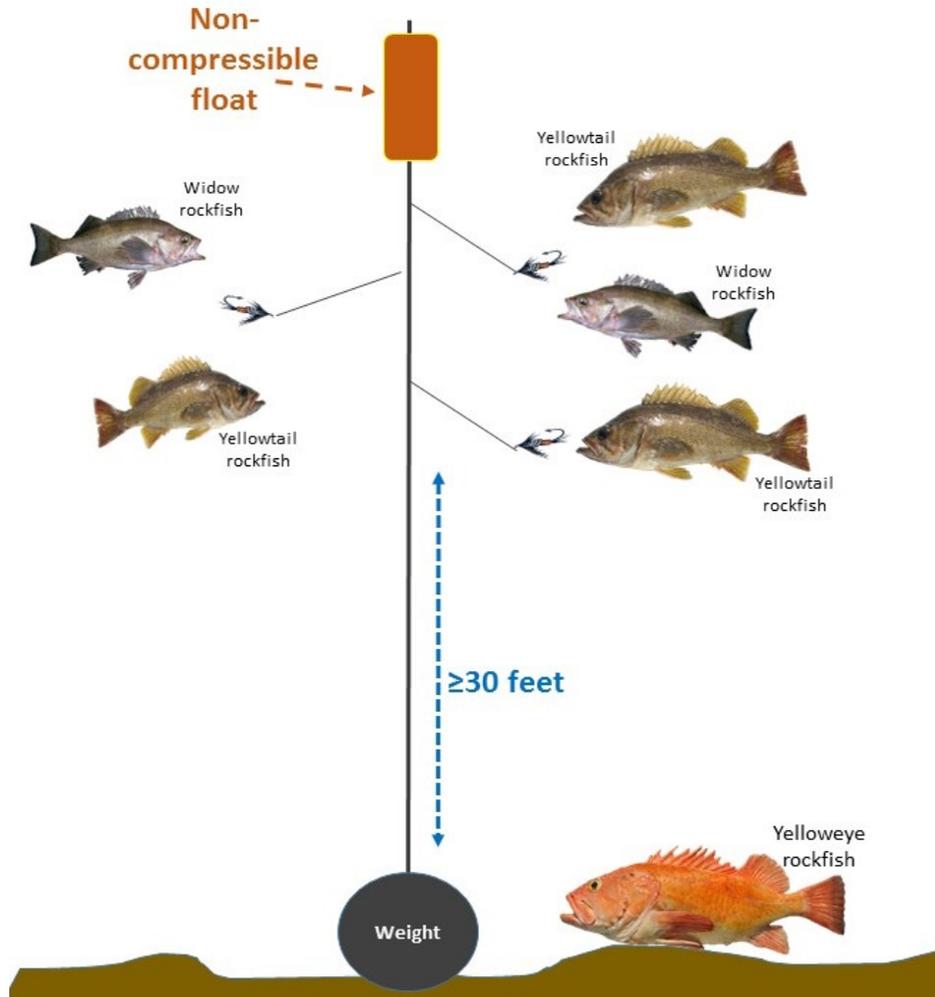


Figure 1. Schematic of longleader gear. Requires at least 30 feet between the weight and the lowest hook along with a non-compressible float above the highest hook.

Columbia River and Southern Oregon Subareas

Revise the Southern Oregon Subarea Allocation

When the Area 2A quota is high, such as in 2019, the allocation to the Southern Oregon Subarea is higher than recent catches. This strands fish that could be utilized elsewhere, while at the same time, the Columbia River Subarea has seen increasing effort and very short seasons. While retaining the current percentage of the Area 2A allocation to the Southern Oregon Subarea, a new threshold could be established and poundage in excess of that amount moved preseason to the Columbia River Subarea.

Status quo: The Southern Oregon Subarea allocation is 3.91% of the Oregon sport allocation

Alternative 1: The Southern Oregon Subarea allocation is 3.91% of the Oregon sport allocation up to a maximum of 8,000 pounds. Any poundage over that will be allocated to the Columbia River Subarea

Rationale

With the current high Area 2A quota (1.5 million pounds) that is expected to be in place for the next 3 years, the allocation to the Southern Oregon Subarea is higher than recent catches (Figure 2). This effectively strands fish that could be utilized elsewhere, particularly in the Columbia River Subarea. Putting in a threshold that is closer to recent catches, with some buffer to allow for higher catch, would provide adequate quota for the Southern Oregon Subarea. It would also transfer potentially unutilized fish (Table 1) to the Columbia River Subarea which has had reduced seasons in recent years, in time for that subarea to use the transferred quota.

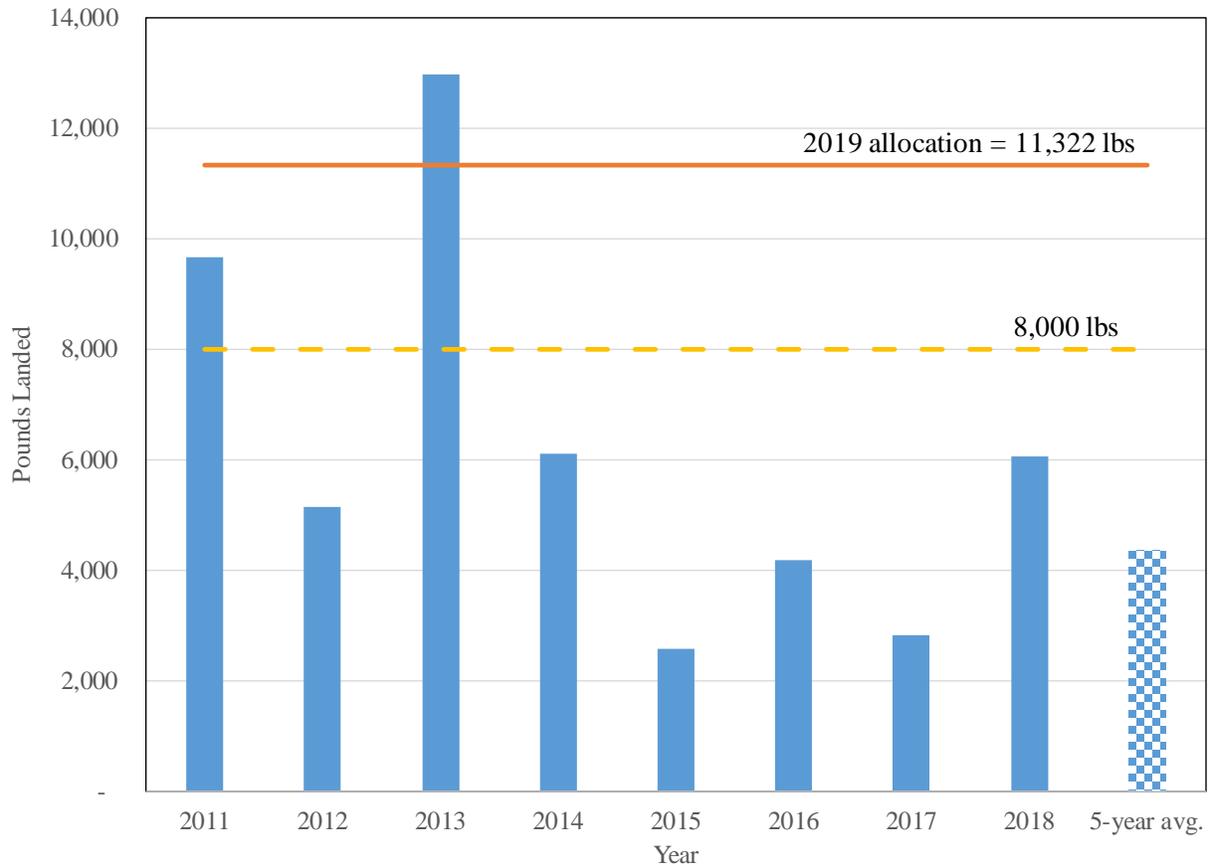


Figure 2. Annual Southern Oregon Subarea Catch 2011-2018, with the 2019 allocation and 8,000 pound threshold.

Table 1. Total annual Southern Oregon Subarea quota (in pounds) and amount over 8,000 pounds that would have been available to be transferred to the Columbia River Subarea.

Year	Total Quota	Over 8,000 pounds
2014	3,712	-
2015	7,318	-
2016	8,605	605
2017	10,039	2,039
2018	8,982	982
2019	11,322	3,322
2020*	11,322	3,322
2021*	11,322	3,322
2022*	11,322	3,322

* assumed, based 1.5 million pounds Area 2A total allowable catch

Under the flexible inseason management provisions already in the CSP, quota in any Oregon subarea that is projected to be unutilized by the season ending date can be transferred inseason to another Oregon subarea. For example, excess Southern Oregon Subarea quota can be transferred to another subarea inseason. However, although inseason transfers can enable quota to be used in the Central Coast Subarea’s summer all-depth or nearshore seasons, they do not meet the need in the Columbia River, since that subarea’s all-depth fishery has ended in May or early June in recent years, which is earlier than an inseason transfer decision would be made. **To provide the most opportunities to anglers by shifting the quota pre-season, ODFW recommends the Council adopt Alternative 1.**

Central Coast Subarea

Revise the Start Date of the Nearshore Fishery

The nearshore fishery start date has been June 1 for the last several years. In 2019, with the increased quota for Area 2A, and the resulting allocations for fisheries, there will likely be quota left unharvested in the nearshore fishery. Moving the start date to May 1 when the allocation is high would allow for additional opportunity to harvest the nearshore fishery quota.

Status quo: Opens June 1, seven days per week

Alternative 1: If the Central Coast Nearshore fishery allocation is 25,000 pounds or greater, the season will open May 1; if the allocation is less than 25,000 pounds the season will open June 1

Alternative 2: Open May 1, seven days per week

Rationale

The start of the nearshore fishery was moved to June 1 after several years of early attainment of the quota, which closed nearshore halibut fishing during much of the summer. By starting June 1, the nearshore fishery was open for more of the summer months. However, in years when the allocation has been high, there has been some poundage remaining at the end of the season with the June 1 start date. Opening on May 1 when the allocation is high would provide additional

opportunity to harvest the entire allocation, while still having the fishery open during the summer months. There has also been interest expressed by anglers to move the nearshore fishery start date back to May 1, regardless of the allocation. **To provide flexibility during high allocation years while still keeping the nearshore fishery open during the summer months during low allocation years, ODFW recommends the Council adopt Alternative 1.**

Revise the Days per Week Open in the Summer All-Depth Fishery

When allocations are high, adding one additional open day per week to the summer all-depth fishery can allow for additional opportunity to harvest the allocated halibut poundage.

Status quo: Open the first Friday and Saturday in August, then every other Friday and Saturday until Oct. 31, or quota attainment.

Alternative 1: If the allocation projected to remain in the spring all-depth fishery after its conclusion plus the summer all-depth allocation total 60,000 pounds or more after the spring all-depth season concludes, a third open day may be added to the summer all-depth season open days

Alternative 1a. Thursday will be the additional open day

Alternative 1b. Sunday will be the additional open day

Rationale

Prior to 2010, the summer all-depth season was open three days per week, Friday-Sunday. Due to lower allocations and high catch rates, the season was changed to two days per week, Friday and Saturday, starting in 2010. The reduction in days open was intended to prevent exceeding the allocation in one opening, as happened in 2009. In 2015 and 2016 at moderate allocation levels, the fishery was open until the regulatory closure date of October 31, with some allocation unharvested. In 2017 and 2018 the season lasted into September. In 2019, even with opening every week, the fishery will likely be open until the regulatory closure and leave a lot of poundage unharvested. Having the option pre-season to allow an additional day during each opening would allow more time for anglers to plan and additional opportunity to harvest the allocation.

As mentioned above, previously when the summer fishery was open three days per week it was open Friday, Saturday, and Sunday. This allowed for both weekend days to be open to all-depth fishing. However, the spring all-depth season is open Thursday, Friday, and Saturday. There was some concern expressed about having different days per week open in the spring and summer seasons, and the potential for confusion by anglers.

Anglers who attended the public meeting were in favor of adding a third day at high allocation levels, but were split on adding Thursday or Sunday. Those who participated in the online survey were also in favor of adding a third day, and that Thursday be the day added (Figure 3) Therefore, **ODFW recommends the Council adopt Alternative 1a.**

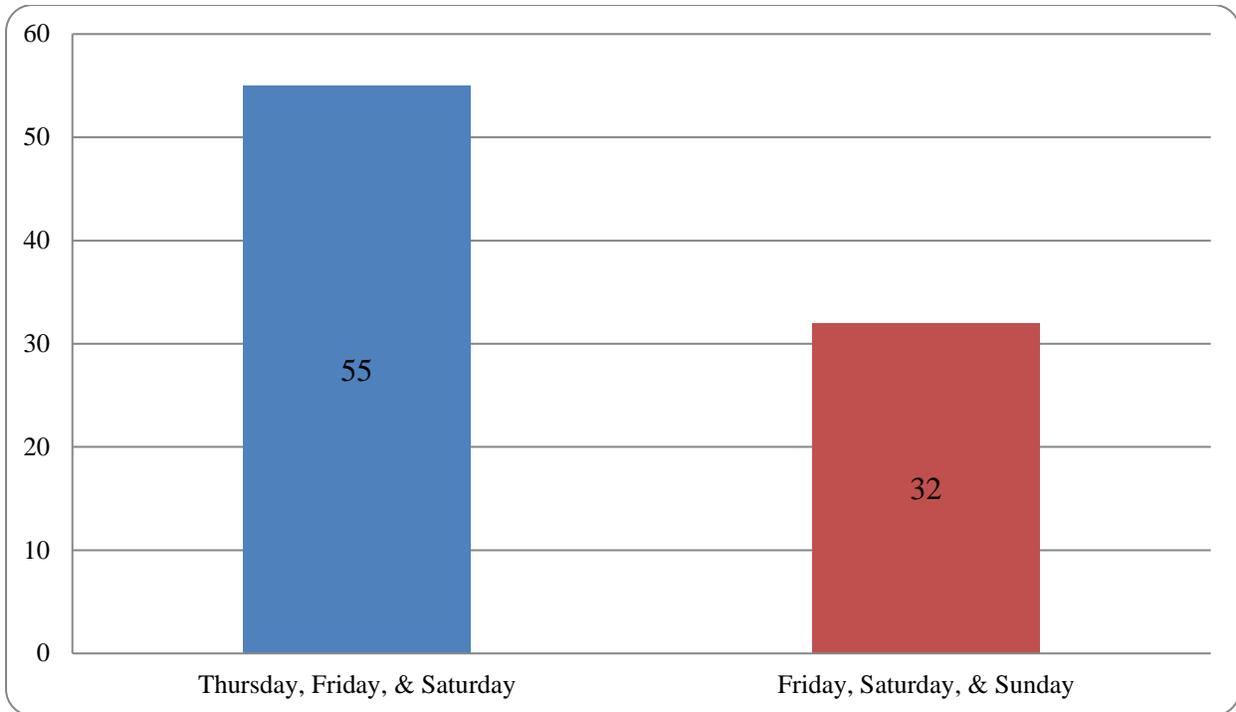


Figure 3. Online survey results on the question, “if the Central Oregon Coast Subarea all-depth season is open 3 days, which days do you prefer: Thurs-Sat or Fri-Sun?”

Revise the Spring All-Depth Season Back-Up Days

In years with high allocations, such as 2019, if the weather and ocean conditions interfere with fishing opportunities during the spring all-depth fixed dates, there could be a lot of poundage left for the back-up dates. Having an inseason option to have back-up openings be allowed every week would allow for additional opportunity to harvest the allocation.

- Status quo: Available back-up days are every other Thursday, Friday, and Saturday
- Alternative 1: After the spring all-depth season fixed dates, ODFW, NMFS, IPHC and Council staff can confer and determine if back-up dates can be open every Thursday, Friday, and Saturday

Rationale

ODFW staff work with anglers pre-season to attempt to set the number of fixed dates in the spring all-depth season to have a good chance of taking the majority of the allocation without going over. Back-up dates are then available to harvest any remaining allocation. However in unusual years, such as 2019, where there is a combination of high allocation and weather and ocean condition issues with several of the fixed openings, there can be a lot of allocation left after the fixed days. In 2019, there was approximately 110,000 pounds (out of the initial 171,000 pound allocation) remaining after the fixed dates. If a similar situation were to happen in the future, having the option inseason to have back-up dates open every week would allow for additional opportunity to harvest the allocation.

This would not guarantee open back-up dates every week. ODFW would have to project catch and quota remaining two weeks out, since catch estimates from one Thursday-Sunday opening would not be available prior to a potential opening beginning the following Thursday. An opening would only be offered if enough quota remained after the last catch estimates were made to cover two sets of back up dates (including one that has already occurred but not yet been estimated). Weather/ocean conditions could be taken into account by halibut managers in this evaluation. While the potential for weekly back-up dates could enable higher attainment of the allocation, there could be very short notice on whether weekly back-up dates would be open or not, which could complicate planning for halibut fishing trips.

Additionally, after careful review of the Catch Sharing Plan, ODFW believes that adding back-up dates every weekend, should another year such as 2019 occur, could be accomplished through the flexible inseason management provisions sections (f) (5)(i) and (f)(5)(ii).

Therefore, due to the potential complication of regulations and short notice of openings or closures, ODFW recommends staying with the status quo, back-up dates open every other weekend.

Catch Sharing Plan Language

Below is draft language updating the Catch Sharing Plan language to reflect these recommendations. ODFW staff will work with NMFS staff to finalize the language after the Council takes action.

(f) SPORT FISHERIES

The non-Indian sport fisheries (including incidental sablefish) are allocated approximately 69 percent of the non-Indian share, which is approximately 45 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.

- (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 2.3 percent of the Oregon sport allocation, **and any allocation over 8,000 lbs from the Southern Oregon Subarea.**

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 Columbia River subarea seasons are as follows:

(A) A nearshore fishery is allocated 500 pounds of the Columbia River subarea allocation, to allow incidental halibut retention on groundfish trips in the area shoreward of the boundary line approximating the 30 fathom (55 m) depth contour extending from Leadbetter Point, WA (46°38.17' N. lat., 124°15.88' W. long.) to the Washington-Oregon border (46°16.00' N. lat., 124°15.88' W. long.) and from there, connecting to the boundary line approximating the 40 fathom (73 m) depth contour in Oregon. Coordinates will be specifically defined at 50 CFR 660.71 through 660.74. The nearshore fishery will be open Monday through Wednesday following the opening of the all-depth fishery, until the nearshore allocation is taken or September 30, whichever is earlier. Taking, retaining, possessing or landing halibut on groundfish trips is only allowed in the nearshore area on days not open to all-depth Pacific halibut fisheries. The daily bag limit is one halibut per person, with no size limit.

(B) The remaining Columbia River subarea allocation will be allocated for an all-depth fishery beginning in May. The all-depth fishery open dates will be determined after consultation between Oregon and Washington Departments of Fish and Wildlife and in time for Council final action at the November meeting. The fishery will be open two days per week, Thursday or Friday, and/or Sunday until the subarea allocation is taken, or until September 30, whichever is earlier. Subsequent to the 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 when halibut are on board the vessel with the following exceptions. When allowed by groundfish regulations sablefish, Pacific cod, flatfish species may be retained, and lingcod caught north of the Washington-Oregon border (46°16.00' N. lat.) may be retained during the recreational halibut fishery. Additionally **the longleader gear fishery, which would allow anglers to retain, possess, or land those specified species (yellowtail, widow, canary, redstripe, greenstiped, slivergray, chilipepper, blue, deacon, and bocaccio rockfish) when halibut are onboard, but no other bottomfish south of the Washington-Oregon border (46° 16.00' N lat.)**

(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 percent of the Oregon sport allocation. 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, PFMC, 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, PFMC, 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 when the groundfish fishery is restricted by depth, 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. **An exception is the longleader gear fishery, which would allow anglers to retain, possess, or land those specified species (yellowtail, widow, canary, redstripe, greenstiped, slivergray, chilipepper, blue, deacon, and bocaccio rockfish) when halibut are onboard, but no other bottomfish.** During days open to all-depth halibut fishing when the groundfish fishery is open to all depths, any groundfish species permitted under the groundfish regulations may be retained, possessed or landed if halibut are on aboard the vessel. During days open to nearshore halibut fishing, flatfish species may be taken and retained seaward of the seasonal groundfish depths restrictions, 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 input process 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 June 1, 7 days per week, only in waters inside the 40-fathom (73 m) curve, **unless the subquota is 25,000 lbs or greater, then it opens May 1.** The fishery continues until the subquota is taken, or until October 31, whichever is earlier and is allocated 12 percent of the subarea quota if the 2A TAC is above 700,000 pounds (317.5 mt) or greater or 25 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt). 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 (Spring fishery) is an all-depth fishery with two potential openings and is allocated 63 percent of the subarea quota if the 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 pre-season for the first Spring opening and will not be modified in-season 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, PFMC, 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 pre-season. 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, **if the subquota is less than 60,000 lbs. If the subquota is 60,000 lbs or greater, the fishery will be structured to be open every other week on Thursday, 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 pre-season. 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, PFMC, 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, PFMC, and ODFW. After the Labor Day weekend, the IPHC, NMFS, PFMC, 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) Southern Oregon Subarea

This sport fishery is allocated 3.91 percent of the Oregon sport allocation, **up to a maximum of 8,000 pounds. Any allocation over that amount will be re-allocated to the Columbia River Subarea.** 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. No groundfish may be taken and retained, possessed or landed, except sablefish, Pacific cod, and flatfish species, in areas closed to groundfish, if halibut are on board the vessel. **An exception is the longleader gear fishery, which would allow anglers to retain, possess, or land those specified species (yellowtail, widow, canary, redstripe, greenstriped, slivergray, chilipepper, blue, deacon, and bocaccio rockfish) when halibut are onboard, but no other bottomfish.**