

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED
CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN AND
2022 ANNUAL REGULATIONS

The Washington Department of Fish and Wildlife (WDFW) held a meeting with recreational halibut anglers on October 18, 2021. The purpose of the meeting was to discuss proposed changes to the Pacific Fishery Management Council's (PFMC) Catch Sharing Plan (CSP) for 2022, and refine the proposals developed at the public meeting held by WDFW in August and adopted for public review at the September PFMC meeting.

In September, recommendations for the 2022 Washington recreational season adopted for public review included options that would increase access to the Puget Sound subarea allocation by opening the eastern portion (Marine Areas 6 – 10) earlier and having more days open per week in all Puget Sound subareas. There was broad interest in a status quo season structure for coastal subareas (Marine Areas 1 – 4) however, there was also interest in exploring an alternative season structure for coastal subareas that would implement a shared allocation approach for the first four, five, or six weeks of the season ([Supplemental WDFW Report 1, September 2021](#)).

All Washington Subareas

Flexible inseason management has been critical to responding to ongoing port closures and reduced access to some fishing areas. Proposed changes to the CSP are recommended that describe a management objective that utilizes a flexible approach to maximize fishing opportunity by seeking to achieve subarea allocations and adjusting to provide access to the overall Washington sport allocation prior to the close of the season. See below for proposed changes to the CSP.

WDFW Recommendation: Revise the CSP language to describe the management objectives for the Washington sport fishery and the need for flexible inseason management to maximize fishing opportunity and achieve the Washington sport allocation.

Puget Sound Subarea

Discussions regarding the Puget Sound subarea were focused on a season structure that would allow more open days per week and accommodate an earlier start in the eastern portion (Marine Areas 6 –10) while recognizing the need to align the season dates in the western portion of the Puget Sound subarea (Marine Area 5) with the north coast subarea (Marine Areas 3 and 4) as much as possible. Aligning the season dates in Marine Area 5 and the north coast subarea has been a common practice for the past several seasons given that access to both subareas is accessible from either Sekiu in Marine Area 5 or the Port of Neah Bay. Halibut season dates that are the same in Marine Area 5 and in the north coast subarea help enforce the International Pacific Halibut Commission (IPHC) requirement that halibut must be landed in a port open for halibut fishing and has been particularly important with the closure of the Port of Neah Bay in Marine Area 4. This is a challenge for stakeholders in Marine Area 5 that may want slightly earlier season dates than the north coast subarea, particularly given the recent low attainment of the Puget Sound subarea allocation. Regarding increasing the number of days open per week, an earlier opening date in the

eastern portion of the Puget Sound subarea (Marine Areas 6 – 10) could potentially take a significant amount of the Puget Sound subarea quota and impact the season length in the western portion of the Puget Sound subarea (Marine Area 5). For these reasons, stakeholders in the eastern region (Marine Areas 6-10) support a season structure in 2022 that would open two weeks earlier than in 2021 but that would stay at three open days per week (status quo) in April, May, and June. The western portion of the Puget Sound subarea season will closely align with the season dates in the north coast subarea.

WDFW Recommendation: Revise the CSP language to allow opening the Puget Sound subarea (Marine Areas 5 – 10) up to five days per week during August and September.

Columbia River, North Coast, South Coast Subareas (Coastal Subareas)

Discussions relative to coastal subareas (Marine Areas 1 – 4) were focused on contrasting the impacts of the shared subarea allocation option adopted for public review and status quo. After reviewing and discussing catch and inseason management for recent seasons, stakeholders agreed that a status quo season structure that is supported by a flexible inseason management approach is the preferred alternative for the 2022 season.

Attainment of the north coast subarea allocation has been significantly impacted by reduced fishing effort due to the ongoing closure of the port of Neah Bay. While the port of La Push, also in the north coast subarea, did open in mid-July 2021, the port was closed during the May and June halibut opening dates. Catch rates in the Puget Sound subarea have been low in recent years also resulting in unharvested allocation. Flexible inseason management has allowed for the transfer of north coast subarea allocation to open additional all depth fishing days in the south coast and Columbia River subareas after it was clear that the north coast would be unable to harvest their subarea allocation before the end of the season in September. In recent years, shifting allocation between subareas has been considered in early June after getting through the early season dates and reviewing catch information to understand whether port closures, low catch rates or other issues are likely to restrict the ability for subareas to achieve their allocation. As these inseason changes are discussed, stakeholders have supported an approach that provides the south coast and Columbia River subareas, where the subarea allocation is taken early in the season, some additional fishing opportunity in June while also allowing for a late season opportunity in August and September for the north coast and potentially Puget Sound subareas to utilize any remaining allocation.

With the ongoing port closure in Neah Bay and uncertainty relative to when the port will open, flexibility in season dates and the ability to share allocation between subareas is critical to meet allocation objectives for the Washington sport fishery under a status quo season structure.

WDFW Recommendation: Revise the CSP language to allow opening the Coastal subareas (Marine Areas 1 – 4) up to five days per week during August and September.

Based on the input we received, WDFW recommends the Council adopt the following season dates for the Washington subareas:

Proposed Season Dates:

Puget Sound (Marine Areas 6 – 10):

April 7 through May 21, three days per week, Thursday, Friday, Saturday

Memorial Day weekend, open Friday through Sunday, May 27, 28, and 29

June 2 through June 27, three days per week, Thursday, Friday, Saturday, and Thursday, June 30

If quota remains after June 30, open Thursday, August 18 through September 30, up to five days per week, Thursday, Friday, Saturday, Sunday, Monday

Puget Sound (Marine Area 5):

May 5 through May 21, two days per week, Thursday and Saturday

Memorial Day weekend, open Friday through Sunday, May 27, 28, and 29

June 2 through June 25, three days per week, Thursday, Friday, Saturday, and Thursday, June 30

If quota remains after June 30, open Thursday, August 18 through September 30, up to five days per week, Thursday, Friday, Saturday, Sunday, Monday

North Coast (Marine Areas 3 and 4):

May 5 through May 21, two days per week, Thursday, and Saturday

Memorial Day weekend, open Friday and Sunday, May 27 and 29

June 2 through June 25, two days per week, Thursday and Saturday, and Thursday, June 30

If quota remains after June 30, open Thursday, August 18 through September 30, up to five days per week, Thursday, Friday, Saturday, Sunday, Monday

South Coast (Marine Area 2):

May 5 through May 22, two days per week, Thursday and Sunday

Memorial Day weekend, open Thursday, May 26

If sufficient quota remains, the following open dates would be considered depending on available quota: June 16, 19, 23, 26

If quota remains after June 26, the following open dates would be considered depending on available quota: August 19 and September 23

Columbia River (Marine Area 1):

May 5 through May 22, two days per week, Thursday and Sunday

Memorial Day weekend, open Thursday, May 26

June 2 through June 26, open two days per week, Thursday and Sunday, and Thursday, June 30

If quota remains after June 26, the following open dates would be considered depending on available quota: August 19 and September 23

Changes to the CSP

WDFW provides draft language below for the CSP to reflect the above recommendations.

Although proposed changes are shown below, WDFW will work with NMFS and Council staff to refine and finalize the CSP language to meet the intent of the Council discussion and

decisions. Finally, many of the recommended changes to the CSP rely on flexible inseason management, WDFW is committed to working with NMFS staff to implement changes to the CSP that supports this flexibility.

6.8 Flexible inseason management provisions

Protocol for inseason modifications

The Regional Administrator, NMFS West Coast Region, after consultation with the Chair of the 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 between Leadbetter Point, WA and the OR/CA border (42° N. lat.) are projected to not 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.
- e. Notwithstanding 6.8.1.a, if the total estimated yelloweye rockfish bycatch mortality from recreational halibut trips in all Oregon subareas is projected to exceed 22 percent of the annual Oregon recreational yelloweye rockfish harvest guideline, NMFS may take inseason action to reduce yelloweye rockfish bycatch mortality in the halibut fishery while allowing halibut allocation objectives to be met to the extent possible.

6.8.2 Notice procedures

Inseason actions taken by NMFS will be published in the *Federal Register*. Actual notice of inseason management actions will be provided by a telephone hotline administered by the West Coast Region, NMFS, at 206-526-6667 or 800-662-9825. Since provisions of these regulations may be altered by inseason actions, sport fishermen should monitor the telephone hotline for current information for the area in which they are fishing.

The inseason action will be announced by NMFS via an update to the recreational halibut hotline.

6.8.3 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 West Coast 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.

6.8.4 Availability of data

The West Coast 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 West Coast Regional Office, NMFS, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA.

6.8.5 Flexible inseason management provisions

Includes, but are not limited to, the following:

- a. Modification of sport fishing periods;
- b. Modification of sport fishing daily bag limits,
- c. Modification of sport fishing size limits;
- d. Modification of sport fishing days per calendar week;
- e. Modification of subarea quotas; and
- f. Modification of Stonewall Bank YRCA restrictions off Oregon.

6.9 Washington Coast subareas

Washington sport fisheries are allocated 35.6 percent of the total non-tribal FCEY. This allocation is shared between three subareas within the State, plus the Columbia River subarea receives a portion of this allocation, as it is in concurrent waters of Washington and Oregon. [Management objectives for the Washington sport fisheries are to establish season structures for each subarea that maximize fishing opportunity and achieve but not exceed subarea allocations. At times, flexibility through inseason action, such as adding additional fishing days or shifting allocation between subareas, may be needed to achieve the overall Washington sport allocation.](#)

In addition, if certain conditions are met (as described in section 5.8.1) a portion of the Washington sport fishery allocation will be distributed to the commercial primary directed sablefish fishery north of Point Chehalis, WA. The formula for distributing the Washington sport fishery allocation to the four subareas remains unchanged regardless of any distribution to the sablefish fishery.

6.9.1 Puget Sound subarea

- a. Subarea allocation
This sport fishery subarea is allocated 23.5 percent of the first 130,845 lb allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lb and 224,110 lb, except as provided in section 5.8.1.
- b. Geographic location

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.

- c. Management objectives
None identified in this document.
- d. Season structure

Season dates will be developed by the end of November each year for the following year. Seasons will open in early May. Flexibility to open in April is allowed. **During April, May, and June,** seasons may be open up to three days per week which may include at least one weekday and one weekend day. Season structure may include periodic closures to assess the remaining quota for the subarea. If sufficient quota remains **after the final June date,** additional openings **in August and September** may be implemented **and may include the option of being open up to five days per week.** The fishery will continue until the quota is projected to be taken, or September 30, whichever is earlier.

- e. Landing restrictions
The daily bag limit is one fish per person, with no size limit.
- f. Inseason adjustments
Consistent with section 6.8.

If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen 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.

- g. Groundfish regulations
None specified in this document.
- h. Closed Conservation Areas
None specified in this document.

6.9.2 North Coast subarea

- a. Subarea allocation
This sport fishery subarea is allocated 62.2 percent of the first 130,845 lb allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lb and 224,110 lb, except as provided in section 5.8.1.
- b. Geographic location
This subarea is defined as all U.S. waters west of the mouth of the Sekiu River, as defined above in section 6.9.1.b, and north of the Queets River (47°31.70' N. lat.).
- c. Management objectives
None specified in this document.
- d. Season structure

Season dates will be developed by the end of November each year for the following year. Seasons will open in early May, with the flexibility to open on April 30 in years when April 30 falls on a Thursday. **During April, May, and June**, seasons may be open up to three days per week which may include at least one weekday and one weekend day. Season structure may include periodic closures to assess the remaining quota for the subarea. If sufficient quota remains **after the final June date**, additional openings **in August and September** may be implemented **and may include the option of being open up to five days per week**. The fishery will continue until the quota is projected to be taken, or September 30, whichever is earlier.

- e. Landing restrictions
The daily bag limit is one fish per person, with no size limit.
- f. Inseason adjustments
Consistent with section 6.8.

If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen 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.

- g. Groundfish regulations
Recreational fishing for groundfish and halibut is prohibited within the North Coast Recreational Yelloweye Rockfish Conservation Area (YRCA).
- h. Closed conservation areas
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(b) and will be described annually in federal halibut regulations published in the *Federal Register*.

6.9.3 South coast subarea.

- a. Subarea allocation
This sport fishery is allocated 12.3 percent of the first 130,845 lb allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lb and 224,110 except as provided in section 5.8.
- b. Geographic location
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 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.; and

46°58.00' N. lat., 124°24.24' W. long.

c. Management objectives

The south coast subarea quota will be allocated to the all-depth (primary) fishery, with a nearshore fishery to be open if sufficient quota remains.

d. Season structure

Season dates for the primary fishery will be developed by the end of November each year for the following year. The primary seasons will open in early May, with the flexibility to open on April 30 in years when April 30 falls on a Thursday. **During April, May, and June,** seasons may be open up to three days per week which may include at least one weekday and one weekend day. Season structure may include periodic closures to assess the remaining quota for the subarea. If sufficient quota remains **after the final June date,** additional openings **in August and September** may be implemented, **including the option of being open up to five days per week.** If there is insufficient quota remaining to reopen the primary fishery for another fishing day, the remaining primary fishery quota will be used to open a nearshore fishery.

e. Landing restrictions

The daily bag limit is one halibut per person, with no size limit.

f. Inseason adjustments

Consistent with section 6.8.

If sufficient quota remains, the nearshore fishery will open the first Saturday subsequent to the closure of the primary fishery and will be open 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.

g. Groundfish regulations

During days open to the primary fishery and seaward of the 30-fm line, **and seaward of the deepwater lingcod closure area,** lingcod may be taken, retained, and possessed when allowed by groundfish regulations.

h. Closed conservation areas

None identified in this document.

6.10 Columbia River Subarea

a. Subarea allocation

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb and 224,110 lb, except as provided in section 5.8. 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.

A nearshore fishery is allocated 500 pounds of the Columbia River subarea allocation. The remaining Columbia River subarea allocation will be allocated to the all-depth fishery.

b. Geographic location

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 nearshore area is described as 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.

c. Management objectives

This subarea typically has both an all-depth (primary) fishery and a nearshore fishery. The nearshore fishery is to allow incidental halibut retention on groundfish trips in the specific area described in section 6.10.a.

d. Season structure

The all-depth fishery will begin in May, with the flexibility to open on April 30 in years when April 30 falls on a Thursday. 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. **During April, May, and June, the fishery will be open up to three days per week, Thursday or Friday, and/or Sunday until the subarea allocation is taken, or until September 30, whichever is earlier. If sufficient quota remains after the final June date, additional openings in August and September may be implemented, including the option of being open up to five days per week.**

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. **On days not open to the all depth halibut fishery, 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.~~**

e. Landing restrictions

The daily bag limit is one halibut per person, with no size limit.

f. Inseason adjustments

Consistent with section 6.8.

Subsequent to the all-depth fishery 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.

g. Groundfish regulations

When fishing **north** of the Washington-Oregon border (46° 16.00' N. lat.)

During the recreational all-depth halibut fishery, when allowed by groundfish regulations and halibut are on board the vessel, only sablefish, Pacific cod, flatfish species, lingcod, yellowtail rockfish, widow rockfish, canary rockfish, redstriped rockfish, greenstriped rockfish, silvergray rockfish, chilipepper, bocaccio, and blue/deacon rockfish may be retained, possessed, or landed.

When fishing **south** of the Washington-Oregon border (46° 16.00' N. lat.)

During the recreational halibut all-depth fishery, when the groundfish fishery is restricted by depth and halibut are on board the vessel, only sablefish, Pacific cod and flatfish species may be taken and retained, possessed, or landed. During days open to all-depth halibut fishing when the groundfish fishery is restricted by depth and when halibut are on board the vessel, yellowtail rockfish, widow rockfish, canary rockfish, redstriped rockfish, greenstriped rockfish, silvergray rockfish, chilipepper, bocaccio, and blue/deacon rockfish may be retained possessed or landed when caught with longleader gear (as defined at § 660.351). 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.

- h. Closed conservation areas
None identified in this document.